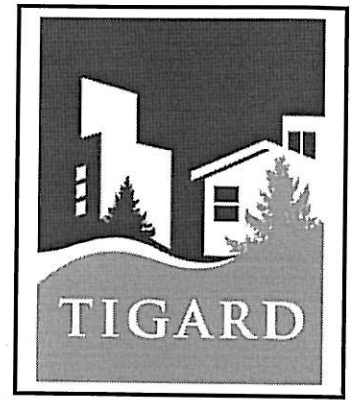




TIGARD CITY COUNCIL AND  
LOCAL CONTRACT REVIEW  
BOARD MEETING

OCTOBER 9, 2007 6:30 p.m.

TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL MEETING  
OCTOBER 9, 2007

6:30 PM

- STUDY SESSION

7:30 PM

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

- Tigard High School Student Envoy Megan Foltz
- Follow-up to Previous Citizen Communication

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for August 28, 2007
- 3.2 Receive and File:
  - a. Council Calendar
  - b. Tentative Agenda
- 3.3 Approve a Resolution Endorsing the Submittal of a Senior Center Phase II Community Development Block Grant (CDBG) Project Application – Resolution No. 07-\_\_\_\_\_

A RESOLUTION OF THE TIGARD CITY COUNCIL SUPPORTING AN  
APPLICATION FOR FEDERAL ASSISTANCE TO PARTIALLY FINANCE  
IMPROVEMENTS TO THE TIGARD SENIOR CENTER

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

4. QUASI-JUDICIAL PUBLIC HEARING – HIGHLAND HILLS SUBDIVISION ANNEXATION (ZCA 2007-00003)

PROPOSAL: Annexation of one parcel just north of SW Bull Mountain Road containing a total of 1.81 acres to the City of Tigard. The applicant has received land use approval from Washington County to develop the parcel into an 11-lot subdivision (Highland Hills Subdivision, case file #07-034-S); however, the available sewer, water and storm drainage connections are within the City of Tigard, requiring the property to be annexed into the City to receive services. Shady Peak Development, the sole owner of the subject parcel, has consented to the annexation. The owners of five neighboring properties were invited to join the annexation, but did not accept the invitation.

LOCATION: 13273 SW Bull Mountain Road (north of SW Bull Mountain Road, just west of Raven Ridge subdivision); WCTM 2S109AB, Tax Lot 300.

CURRENT ZONE: R-6 District (Residential 6 Units Per Acre). The purpose of the Washington County R-6 District is to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre, except as specified by Section 300-2 or Section 303-6. The intent of the R-6 District is to provide the opportunity for more flexibility in development than is allowed in the R-5 District. The average lot area for single family detached dwellings within a proposed development shall be no less than 4,500 square feet and the minimum lot area shall be 4,000 square feet. The minimum lot area for single family attached units shall be 3,500 square feet.

EQUIVALENT CITY ZONE: R-7: Medium-Density Residential District. The City of Tigard R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally. Note: In a subdivision, lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district as long as the average lot area for all lots is not less than allowed by the underlying zoning district. No lot created under this provision shall be less than 80% of the minimum lot size allowed in the underlying zoning district.

APPLICABLE REVIEW CRITERIA: ORS Chapter 222, Metro Code Chapter 3.09, Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390.

- a. Open Public Hearing – Mayor
- b. Statement by City Attorney Regarding Procedure
- c. Declarations or Challenges

- Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
- Have all members familiarized themselves with the application?
- Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
- d. Staff Report: Community Development Department
- e. Public Testimony
  - Proponents
    - Applicant
    - Other Proponents
  - Opponents
  - Rebuttal/Final argument by applicant
- f. Staff Recommendation
- g. Close Public Hearing
- h. Council Discussion and Consideration: Ordinance No. 07-\_\_\_\_

AN ORDINANCE ANNEXING 1.81 ACRES, APPROVING THE HIGHLAND HILLS SUBDIVISION ANNEXATION (ZCA2007-00003) AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT AND WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT

5. SKATE PARK PROGRESS REPORT, 2007
  - Staff Report: Public Works Department
6. PRESENTATION BY JOIN – AN ORGANIZATION ACTIVELY INVOLVED IN FINDING PERMANENT HOUSING FOR HOMELESS INDIVIDUALS AND FAMILIES
  - Staff Report: Police Department
7. COUNCIL LIAISON REPORTS
8. NON AGENDA ITEMS
9. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend

Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

9:30 PM

10. ADJOURNMENT

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Agenda Item No. \_\_\_\_\_  
For Agenda of \_\_\_\_\_

**TIGARD CITY COUNCIL/LOCAL CONTRACT REVIEW  
BOARD/CITY CENTER DEVELOPMENT AGENCY**

**Meeting Minutes**

**August 28, 2007**

Mayor Dirksen called the meeting to order at 6:30 p.m.

EXECUTIVE SESSION: The Tigard City Council went into Executive Session to discuss litigation likely to be filed with its legal counsel and to evaluate the employment-related performance of the chief executive officer under ORS 192.660(2)(h) and (i).

Executive Session concluded at 7:15 p.m.

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

Staff Present: City Manager Prosser, City Recorder Wheatley, Community Development Director Coffee, Senior Planner Nachbar, City Attorney Ramis, Risk Manager Mills

• STUDY SESSION

› Discussion on Downtown Plaza Location – Community Development Department

Senior Planner Nachbar reviewed the process to date to involve people. The Fanno Creek Steering Committee and the City Center Advisory Commission recommend the Stevens Marine Site which is directly on Fanno Creek Park and complements the downtown plan and lends itself to redevelopment the most. Adjacent property is owned by Dan Dolan who has been amenable to talking about selling. Two people plan to testify on the Plaza Location: Alice Ellis Gaut to represent the Fanno Creek Steering Committee and Alexander Craghead to represent the City Center Advisory Commission.

› Council Liaison Assignments – Administration Department

Council discussed the City Council Liaison Appointment Matrix; a copy is on file in the City Recorder's office. New appointments are needed for those positions that had been assigned to former Councilor Harding. Changes made include the following:

- Councilor Woodruff will serve on the Metropolitan Area Communications Commission.
  - Councilor Sherwood will serve on the next rotation (July – December 07) for the Mayor's Appointment Advisory Committee. Councilor Buehner will serve January – June 08. The candidate elected in November will serve the July - December 08 term on this committee.
  - Councilor Wilson will serve on the Tualatin Basin Natural Resource Coordinating Committee.
- ADMINISTRATIVE ITEMS

- Discussion on Downtown Street Lights

Mayor Dirksen said that if the citizen group wants to re-explore the street lights for downtown, then the City Council would be willing for them to do so. It was noted that the Streetscape Committee no longer is meeting; however, the former members of this committee could discuss the matter with the City Center Advisory Commission if they choose. Community Development Director Coffee advised that the CCAC voted 4-2 to recommend to the City Council that the issue of streetlights be reopened and revisited. Mayor Dirksen agreed to do as CCAC requested but emphasized that a decision needs to be made soon.

Community Development Director Coffee asked if the City Center Advisory Commission is the group that will decide the final selection. Mayor Dirksen said the City Council would make the final recommendation. Councilor Sherwood added that the Mayor and City Council members are trying to make sure that the City Center Advisory Commission members are heard and their recommendations considered. In response to Councilor Wilson's question about whether a consultant has been involved in the process, Senior Planner Nachbar said that he recently talked to a consultant and has also received some references to some good websites. He said he feels confident that at least five to seven viable examples can be produced. Senior Planner Nachbar asked about design; it has been presumed that a traditional design is desired. Councilor Wilson said he thought a traditional design had been decided upon and this should not be reopened. His question was whether the City should commit to the PGE-approved light and what would be the consequences if another light was selected. Councilor Buehner and Mayor Dirksen said they would want to know the price differential. At the conclusion of the discussion about a traditional style, Councilor Wilson said rather than a replica of an historical traditional style, it might be worth considering a style with traditional lines to it.

- Discussion on Consent Agenda Item No. 4.4 Regarding the Washington County 10-Year Plan to End Homelessness Grant Application

Councilor Sherwood advised she would request this Item be removed from the Consent Agenda for separate consideration as some clarification is needed.

- City Recorder Wheatley reviewed the following corrections:

- Correction to Page 12 of the June 10, 2007 Tigard City Council, City Center Development Agency Meeting minutes. The correction is to note that Councilor Wilson did not vote on Agenda Item No. 7; Councilor Wilson did not participate in this discussion and was not seated at the Council bench.
- Correction to the proposed Resolution before the City Center Development Agency in Agenda Item No. 6 – Selection of Downtown Plaza Location. The resolution submitted for review should have been a resolution for the City Center Development Agency rather than the City Council. City Council members received a revised draft resolution.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the meeting to order at 7:34 p.m.
- 1.2 Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor President Sherwood	✓	
Councilor Buehner	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. PROCLAMATIONS:

Mayor Dirksen proclaimed September 2007 as National Alcohol and Drug Addiction Recovery Month Proclamation

3. CITIZEN COMMUNICATION

- Chamber of Commerce Representative – President Marjorie Meeks updated the Mayor and Council on activities. Next month the Chamber hopes the Mayor will declare the first week in October as Tigard Chamber Week. She reviewed the plans

for the week. Mayor Dirksen and the City Council members confirmed that the proclamation will be forthcoming.

- City Manager Prosser reported on follow-up from previous citizen communication. At the last City Council Business meeting Mr. John Frewing raised concerns about decisions the City Manager made regarding the Comprehensive Plan. Following this, City Manager Prosser said he sent an e-mail to Mr. Frewing and explained the reasons for his decisions and invited Mr. Frewing to discuss questions or concerns at anytime with the City Manager. Subsequent to this, the Planning Commission reinstated the language that was in question.

4. CONSENT AGENDA:

Mayor Dirksen reviewed the Consent Agenda:

- 4.1 Approve Council Meeting Minutes: June 12, 19, 26 and July 10, 2007
- 4.2 Re-Approve Tigard Library Policies
- 4.3 Authorize the Mayor to Sign the King City Urban Service Agreement – Resolution No. 07-57

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE KING CITY URBAN SERVICE AGREEMENT AND ASSOCIATED ADDENDUM FOR THE PURPOSE OF IDENTIFYING AND COORDINATING TIGARD'S AND KING CITY'S COMMON URBAN SERVICES BOUNDARIES

- 4.4 Approve Budget Amendment #5 to FY 2007-08 Budget Increasing Appropriations by \$5,000 in the Social Services/Community Events Budget within the Community Services Program to reflect the Costs Associated with Providing Funds to support Washington County's 10-Year Plan to End Homelessness Grant Application – Resolution No. 07-58

A RESOLUTION APPROVING BUDGET AMENDMENT #5 TO THE FY 2007-08 BUDGET TO INCREASE APPROPRIATIONS IN THE SOCIAL SERVICES/COMMUNITY EVENTS BUDGET WITHIN THE COMMUNITY SERVICES PROGRAM TO REFLECT THE COSTS ASSOCIATED WITH PROVIDING FUNDS TO SUPPORT WASHINGTON COUNTY'S 10-YEAR PLAN TO END HOMELESSNESS GRANT APPLICATION

Councilor Sherwood requested Item No. 4.4 be removed for further clarification.

Motion by Councilor Buehner, seconded by Councilor Wilson, to approve the Consent Agenda, less Item No. 4.4.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen                      Yes

Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Councilor Sherwood advised in the City Council packets last week, the budget amendment for the \$5,000 appropriation goes toward the writing of the 10-year plan to end homelessness in Washington County. The City of Hillsboro, the City Beaverton and quite a few of the other cities gave smaller amounts. As a result the \$50,000 needed to prepare for the grant has been realized. Councilor Sherwood said she was concerned because the staff report was written in such a way that someone might interpret that a grant was going to be received in the amount of \$50,000, which is not the case. She explained that to get any funding from the federal government in the next few years, a 10-year plan to end homelessness needs to be written. She noted she will be working to assist in writing the plan.

Motion by Councilor Sherwood, seconded by Councilor Buehner, to approve Budget Amendment No. 5, to increase appropriations by \$5,000.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

City Manager Prosser noted the City Council approved the minutes of the June 10, 2007, City Council meeting with a correction. The correction was to note that Councilor Wilson did not vote on Agenda No. 7 regarding calling a special election to elect a City Council member. Councilor Wilson did not participate in the discussion, nor was he seated at the Council bench for this discussion. The Mayor noted the City Council acknowledged the correction to the minutes.

## 5. ANNOUNCE THIRD ANNUAL FAMILY FEST

Executive Assistant to the City Manager Bengtson presented a report on the upcoming activities for Family Fest, September 6-8, 2007. Activities are all free of charge and will include:

- A Mad Hatter Unbirthday Party
- Genealogy researchers will be available to help people research their family history in the library.
- Movie Night – featuring a first-run, kid-friendly movie.
- Fun Run (walkers, strollers, well-behaved dogs are welcome).
- Free breakfast at the Fun Run finish line.

- Treasure Hunt in Tigard Downtown.
- Magic Show.
- Tualatin Valley Community Band and free ice cream to celebrate the City's 46<sup>th</sup> birthday.
- Fireworks show.

Mayor Dirksen commended Ms. Bengston for the work she has done on this event; she has done a "terrific job!"

Recorder's Note: Mayor Dirksen and the City Council decided conduct the public hearing for Agenda Item No. 7 at this time.

### **Convene City Center Development Agency (CCDA) Meeting**

- Chair Dirksen called the City Center Development Agency meeting to order at 8:01 p.m.
- Roll Call: Chair and Board Members of CCDA

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Chair Dirksen	✓	
Director Sherwood	✓	
Director Buehner	✓	
Director Wilson	✓	
Director Woodruff	✓	

6. PUBLIC HEARING – SELECTION OF DOWNTOWN PLAZA LOCATION  
Written and oral testimony is solicited as the CCDA considers the location of a public plaza in Downtown.
  - a. Chair Dirksen opened the public hearing.
  - b. Declarations or Challenges: City Attorney Ramis advised that if any member of the City Center Development Agency has an actual or potential conflict involving this area, this would be the time to announce it. There were no declarations or challenges.
  - c. Senior Planner Nachbar presented the staff report. He reviewed the history of the process to date. The Fanno Creek Steering Committee and City Center Advisory Commission have been asked to make independent recommendations with regard to the location of the public plaza. A copy of the staff report is on file in the City Recorder's office.

The City Center Development Agency is being asked to conduct this hearing and make a decision and identify the site that it would like to see for the public plaza and to endorse the concept surrounding the public plaza.

The PowerPoint presentation overview is on file in the City Recorder's office. The presentation included the following information:

- Downtown Improvement Plan – Preferred Design Alternative
- Aerial Photo of the Downtown
- Downtown Improvement Plan – Map – 2005
- District Plan
- Economic Considerations
- Preliminary Program (Plaza Program)
- Steering Committee Suggestions
- Map – Plaza Locations
- Site Evaluation (Location Matrix)
- Maps of Sites One, Two, Five and Six, Plus Pros and Cons

Consultant Mike Zahas addressed the CCDA on the process and the selection of the Stevens Marine property. Mr. Zahas said there was an in-depth process where the Steering Committee and the public gave input. There were two good choices for the City: 1) the corner of First and Main, and 2) the Stevens Marine site. Through the dialogue with the Committee and the public, it became evident that people were interested in the connection to the park to provide a softer approach to the Plaza. The selection made by the Committee was a wise one and will be a great space. Mr. Dan Dolan is on the Committee, has adjacent property, and is interested in seeing the potential. There is potential to catalyze redevelopment and bring activity down Burnham Street.

Director Wilson commented that in selecting a site, the Downtown Plan does not allow for the use of eminent domain to acquire sites. A key factor will be: Are we likely to be able to acquire this site. He asked Senior Planner Nachbar what the current agreement is with Stevens Marine. Senior Planner Nachbar advised said they do not have a formal agreement; we have a memorandum of understanding. Senior Planner Nachbar has made an attempt over the last six months to discuss with Mr. Stevens his interest in working with the City Center Development Agency. Mr. Stevens indicated that he is interested in moving out of the downtown within the next two to five years. An appraisal has been done on the property and this has been shared with Mr. Stevens. Mr. Stevens still has some business planning to do to make his decision; however, Senior Planner Nachbar understands that Mr. Stevens is committed to working with the City Center Development Agency and moving out of the Downtown. There is indication that this will be workable. In addition to the Stevens Marine property there is potentially other property owned by Mr. Stevens that might benefit the

City in terms of its connections. The next step would be to work towards a legal agreement with Mr. Stevens.

Director Buehner asked if the CCDA were to adopt the Stevens Marine site, is Mr. Dolan aware of this and are there future plans to look at his property. Senior Planner Nachbar advised that Mr. Dolan is fully aware as he is on the Committee that made the recommendation for the Stevens Marine property. Mr. Dolan has been forthright in saying that he would be willing to work with the City. The next step after the Plaza location decision is made would be to work with property owners adjoining the Plaza, along with Leland consultants, to attempt to determine what kind of development could be feasible next to a Plaza. Part of the contract with Walker Macy calls for some preliminary design concepts and design guidelines; this will assist property owners and the City to decide whether we can move forward with a "real project." Director Wilson asked if the intent would be to not develop a Plaza in advance of any adjacent development, but to move forward at the same time. Senior Planner Nachbar replied, "Most definitely...because we really want to take advantage of that ability for a Plaza to catalyze development and work together."

Senior Planner Nachbar summarized the public process followed with the Fanno Creek Steering Committee, City Center Advisory Commission, Tigard Chamber of Commerce, Kiwanis Club, a public open house, more than 900 letters were sent out as well as a number of e-mails to a large interested party list. The recommendations from the August 8, 2007, Fanno Creek Steering Committee were to endorse the Stevens Marine property for the location of the Plaza and also they endorse the Concept Plan surrounding the Plaza. At the last City Center Advisory Commission meeting, it also endorsed the Stevens Marine property as a location and a Concept Plan. The Concept Plan addresses circulation, Plaza location, and a preliminary set of uses the consultant advises is likely to be feasible. Although, the consultant will continue with their analysis, so more modifications are possible.

Director Woodruff noted the City Center Development Agency member have heard from business owners on Burnham of concerns about development occurring there. He asked Senior Planner Nachbar if he believed they were "fully up to speed" and while there might not be total consensus, is there a sense that this is something they could live with, "if we were to move ahead with this." Senior Planner Nachbar said he could not speak for everyone and there is not a large formal group that represents the downtown businesses. Staff has tried to make contact with these business owners and invite them to the Chamber of Commerce meetings. Senior Planner Nachbar said he has not heard of any major objections, "but again, I can't speak for everyone."

d. Public Testimony

- Alice Ellis Gaut of the Fanno Creek Steering Committee, 10947 SW Chateau Lane, Tigard, Oregon. The presentation to the CCDA tonight captured most of the elements the Committee feels is advantageous about Site No. 1, including the easy land acquisition and the connection to the park. She referred to the rating of "low visibility" for this site; however, in the design prepared by Walker Macy, it appears to draw interest and direct sight down the street to the Plaza. If an area near this develops as an "extra Plaza," it could become part of the mixed use development and would not be a City project. This would bring attention from both directions traveling on Main Street to the fact that there is a public space. She reviewed the design that would be anchored by architectural elements. She also referred to the potential for a Performing Arts Center near the Plaza location.

The next choice by the Committee was Site No. 5.

Director Buehner commented that she did not agree that there are problems with lack of visibility. Ms. Ellis Gaut said she was also puzzled by this concern; however, she explained that the Main Street through traffic did not have visibility. With the visual elements contemplated to open up the corner, she agreed with Director Buehner that this should not be an issue.

- Alexander Craghead, Vice Chair of the City Center Advisory Commission and Lily Lilly, City Center Advisory Commission member presented testimony. Mr. Craghead advised the CCAC received its final presentation on the Plaza location last week. Overall, Site No. 1 has been a favorite for awhile; however, they did consider other options. The recommendation made by the Fanno Creek Steering Committee did have "a lot going for it." The Concept Plan was a major factor in making this the first choice because it would be a Plaza that would be integrated within downtown. Mr. Craghead agreed that the visibility issue would go away because Burnham Street will be redesigned, which should generate excitement and interest. This site was appealing also because it appears to be most compatible with the Tigard Downtown Improvement Plan.

Ms. Lilly said that from her point of view as a "sustainable developer" she said she has "loved this site" since she first saw it. The site catalyzes the natural environment of Tigard and brings together a focal point, creates a focus on green and sustainable development, and there appear to be less issues with acquiring this site, which is larger than most of the other sites. She noted she is "very, very excited about this design" and that everyone has agreed. She said she thinks Walker Macy did a tremendous job providing options.

- Marland Henderson, 11795 SW Katherine Street, Tigard, Oregon, said he attended the Port Moody tour, which he commented favorably upon. He said he was testifying as a citizen and one of the directors of the Tigard Area

Farmer's Market. Mr. Henderson read a letter and a copy of this letter is on file in the City Recorder's office. He noted support for Site No. 1 for the Plaza and for a potential future site for the Farmer's Market. He said he believed this site can develop into an acceptable site to provide a place that Tigard can call home. This would provide an opportunity for all kinds of venues. He noted this would be a great place to develop a final home for the Farmer's Market to be shared with other uses. Site No. 1 is the most simple and least costly of all of the options. He urged the CCDA give direction tonight so the Downtown can move forward. He reiterated his support for Site 1. He noted the good potential also for the Farmer's Market.

- Lisa Olson, 14720 SW Cabernet Court, Tigard, OR 97224-1539 distributed a written summary of her testimony regarding the Fanno Creek Plaza Site Selection. A copy is on file in the City Recorder's office. She advised that she is a member of the Fanno Creek Public Plaza Steering Committee, was on the Streetscape Work Group and the Tigard Downtown Improvement Plan (TDIP) for the Task Force. She noted her support for the "Stevens Marine Property" (Site No. 1). She advised her reasons are listed in the information distributed to the CCDA in her written testimony summary:
  - Tigard citizens have affirmed placing the "heart of the Downtown" adjacent to Fanno Creek Park twice; once through the TDIP process and also when the voters approved the urban renewal district which was based, in part, on the TDIP.
  - This site offers leverages for the surrounding property for redevelopment based on the footprint and also attractive for redevelopment adjacent to this area. In addition the current property owners are willing to work with the City of Tigard.
  - The least amount of land that needs to be required by the City of Tigard for public use. There are only two parcels and other options required more parcels.
  - Long-term and short-term vision. The negative aspect was listed as visibility of this site; however, this is based on current conditions. The Plaza in the park will be the first area to be redeveloped and the TDIP looks at a 25-30 year plan and with this being the first area to develop, then this will be the focus of what will go forward in the downtown. She also referred to other negatives listed as short-term thinking; i.e., proximity of existing commerce, programming, and mixed use development.
  - The ability to connect to Commuter Rail and the parking it offers on the evenings and weekend when activity is likely to be the highest at the Plaza.
  - Best utilizes the natural resource in the downtown.
- Stan Baumhofer, representing the Tigard Area Farmer's Market. Mr. Baumhofer is the President of this non-profit corporation. He reviewed the

history of the Farmer's Market, which has been located at several locations over the past 15 years; it is now located at the corner of Hall Blvd. and Greenburg Road. He said he was not present to lobby for a Farmer's Market and said there has been no formal inclination indicating a Market was desirable. He said that he was glad to see it is now being mentioned. He supported Site No. 1 for the purposes of the City of Tigard. Mr. Baumhofer referred to the success of Pioneer Courthouse Square and offered that the major contributing factors were:

1. The light rail transportation on two sides and, eventually, will have light rail on three sides. The site in Tigard will soon have the Commuter Rail line nearby.
2. This type of facility needs some annual, stabilizing events; i.e., Christmas Tree Lighting; Sand on the Square (sand sculptures); Seniors Dance; Flower Display/Sale, etc. He noted that City of Tigard has most of these kinds of activities as well. The Farmer's Market could be one of the stabilizing factors.

He concluded saying that Site No. 1 is by far the better choice.

Director Wilson asked about space requirements for the Farmer's Market. Mr. Marland Henderson advised 300 square feet per vendor is needed and the Market has 60 vendors for a total of 18,000 square feet. Parking is always an issue but Mr. Baumhofer noted that with the plans as now presented for this area, there will be residents within easy walking distance.

- Tyler Ellenson, Tyler's Automotive, 12485 SW Main Street, Tigard, Oregon, noted he had been very involved in these projects for the downtown about two years ago. With his new business in Wilsonville, he has not been involved. He said that as he looked at the considerations before the CCDA, he noted one is shown where his business is located. He said he learned tonight that this is might be a proposed public arts center. Site No. 6 was referred to as the Car Wash property, which is where Tyler's Automotive is located. He noted no mention was made about relocating a business nor has he been talked to about what his future plans are for his business. From what he has seen this evening he said he likes Site No. 1; however, he does have questions about how this would affect his business. As a business owner and a Tigard resident, he believes that he should have been contacted. At the "eleventh hour" he needed to let the CCDA know that he was not aware of what has been going on. He talked about the Performing Arts Center note on the map and did not see how this could exist next to his automotive business. He said he would like to have conversations about these types of things during the planning process rather than discovering it on the City's website.

Director Woodruff noted his surprise that Mr. Ellenson had not been included in the planning discussions; this site has been under consideration for some time. At this time, Site No. 6, is not high on the list for sites; however, he reiterated his surprise that Mr. Ellenson had not been contacted as a property owner to discuss this. He asked if Mr. Ellenson was aware that the City will only proceed with willing sellers. Director Woodruff added that the City would certainly want to know that the property owner was amenable. Mr. Ellenson pointed out that "willing seller" suggests that his landlord Dennis Thompson is willing to sell the property; therefore, he assumes that there have been contacts to Mr. Thompson. Mr. Ellenson said he owns one of the two businesses on the property – he owns Tyler Automotive and the other business is the Car Wash.

Mr. Ellenson noted he was the past President of the Tigard Central Business District and, to some degree, he helped start this grassroots effort. He said he was supportive for downtown improvement and to review options for where Tyler's Automotive might be located in the future. He commented that there are businesses in the downtown that have been there for a number of years. He again noted his concerns about not being contacted.

- Chair Dirksen said he would "hate for Tyler's Automotive" to leave Tigard and would hope to convince Mr. Ellenson to stay in Tigard should he decide he wanted to leave the Downtown area.. He said that if there does come a time when the City would want to discuss another use for this property, conversations should be with the property owner as well as Mr. Ellenson. The Chair advised any discussions of an alternate location would be to determine what would be convenient for both Mr. Ellenson and the City noting the value of this business and Mr. Ellenson's contributions as an active citizen. Site No. 6 was recognized early on as one choice that would be least likely; this might be why there was no further discussions. Mr. Ellenson noted his appreciation for the Chair's comments and he is proponent for the City and the Downtown. He said he takes his responsibilities for his family and 17 employees very seriously and does not want to leave Tigard.
- Director Buehner said that in the interest of not having any miscommunication in the future, she would appreciate it if staff, the consultant, and the committee members from the Task Force look at how Mr. Ellenson did not receive information. She said she would not want this to happen again.
- City Manager Prosser offered his apologies to Mr. Ellenson and said this situation will be rectified. The City Council earlier this evening during the City Manager's review, set a goal that Mr. Prosser initiate more contacts and involvement in the business community. City Manager Prosser said he would be in contact with Mr. Ellenson soon.

- Alice Ellis Gaut testified again. She said there are no official plans to do a Performing Arts Center on the car wash site. The only reason this came up in discussion in the Steering Committee was that it was identified as a potential compatible use because a facility could be designed in such a way that it would not need buffering from Highway 99W; the use would be compatible with that location. The concept is just that --it's conceptual.
- Director Wilson responded to Mr. Ellenson's comments. When Director Wilson was serving on the Planning Commission, there was an effort by downtown businesses to form an Economic Improvement District involving a number of downtown business owners. This was the precursor to this effort. At the time, Director Wilson recalled there was a lot of discussion about whether the City supported the downtown property owners' efforts and that they needed some assistance. Director Wilson noted recent concerns about the traffic circle proposed at Ash and Burnham and how this would impact downtown business owners. Director Wilson said it is important to keep communication lines open and this takes a lot of energy from both sides to do this. Director Wilson said there is somewhat of a dilemma in that "we can't improve downtown and keep it the same at the same time." This means there will be some relocations if there is new construction. Director Wilson acknowledged that this is a tough issue and "we would like to try and make it as painless as possible." He said it is important to keep talking to people to find out their concerns and how these can be addressed.
- Director Woodruff said that a Performing Arts Center had been mentioned a few times this evening. He also noted a citizen sent the City an e-mail today with a concern that "we were talking about some kind of a Schnitzer here in Tigard and we certainly aren't suggesting that when talk about the Performing Arts Center. Director Woodruff said we are talking about an open space that would allow the availability of some kinds of arts events/displays occurring.
- Chair Dirksen noted there is some discussion that at some point in the downtown area, it might be appropriate to do an indoor performing center, perhaps adjacent to this site. Chair Dirksen said the Plaza and the open space is not the Performing Arts Center; an indoor space is still under consideration although it will be sometime in the future before sufficient funds would be available from the urban renewal district.
- Director Sherwood advised that the CCDA/Council deliberately left "eminent domain" off of the urban renewal process. Anything the City did would be friendly and the City would work with people as much as we can to make any kind of transition, purchase, or development work for everyone. This is a commitment.

- Director Buehner reminded everyone that there is a “Brown Bag” at the Chamber of Commerce every month about the downtown process; so, if anyone is interested in what is going on, they are welcome to attend this meeting.
- e. Staff Recommendation: Senior Planner Nachbar advised the staff recommendation is to endorse the Stevens Marine site as the location of the public Plaza for downtown and to endorse the Concept Plan surrounding Plaza.
- f. CCDA Discussion
- Director Woodruff commented on the unanimity of the selection of the site coming from different people with different perspectives. He advised he has liked this proposal since the beginning.
  - Director Wilson noted two things are under consideration by the CCDA: 1. Selecting the site, and 2. Endorsing the concept. He said he favored the site. He noted he liked the Concept Plan in general terms; however, he referenced the Plaza size of about 10,000 square feet and the need for a Farmer’s Market to have 18,000 square feet. He noted he was concerned about the size and hoped there would be a review the hard-surfaced area to determine if it is adequate. Director Wilson noted another concern about the street that surrounds the housing, which will take a “chunk” out of both the park and the Plaza space. He said he hoped that this could be designed in such a way so it is ambiguous as to whether you are supposed to drive on it or not; not have it be a standard street. He suggested it be used as a Plaza which could be driven on rather than a regular street.
  - Director Wilson commented he had heard that the Tualatin Riverkeepers were concerned about his earlier suggestion for encroaching on the buffer in the park. He clarified what he meant by reviewing the Scheme #1, Stevens Marine Site map. He said only a sliver of the park area is being shown as an active use area. He said in his profession he works with the agencies’ regulations and he is knowledgeable about the purposes of the regulations. For example, the Army Corps of Engineers and the Department of Environmental Quality regulate the filling of wetlands. In addition, Clean Water Services imposes a buffer area and for Fanno Creek, one is required to add beyond the wetlands and stream a 50-foot buffer setback. Even if that were currently a paved parking lot, you would be required to tear it up and plant native vegetation and fence the edge of it; although local jurisdictions can waive the fence requirement. Director Wilson noted his concern is that this would be giving up space that could be actively used; he hoped the City could work with Clean Water Services to relax that standard in certain instances. It is very important that a stream such as Fanno Creek, which has a huge watershed through an urban area, could have some points along it

where people could get close to the stream to appreciate it. We currently have a pathway, but there should be some places where there are open lawn areas next to the stream.

- Director Sherwood said she has heard from Tualatin Riverkeepers member Brian Wegener that there are homeless people sleeping in that natural area near Fanno Creek. She noted her concern for the City of Tigard where there are overgrown, dense areas, which are a danger to citizens using the park areas. She hope there are ways to open up some of the natural area for people to access the creek and feel safe at the same time. Director Sherwood noted her support for the Stevens Marine Property for the Plaza location.
- Director Wilson referred to areas on a map labeled “housing” and the area for a possible performing arts housing. Senior Planner Nachbar clarified this does not exclusively mean housing; for example, the ground floor could be flexibly designed so it could eventually become retail space. The initial thought of the consultant was there might not be the demand now for retail, but it time there could be. Director Wilson said he supported this and also eventually he would like to see Burnham Street have ground floor retail areas. Also, while it is controversial to connect Ash Street through to the downtown, Director Wilson noted that if it did go through, it would draw about 6,000 cars per day, which would be enough to support retail.
- Director Buehner noted she became involved in the process somewhat late; however, since becoming involved, it became clear to her that it was the desire of the public to have a public space at this site. She has been a strong supporter of the Stevens Marine site for a long time. She noted a similar concern to Director Wilson’s regarding the size of the hardscape area of the Plaza to accommodate a use such as a Farmer’s Market. There is a need to take a second look at the size of the proposed hardscape Plaza.
- Senior Planner Nachbar responded to Director Buehner and said one of the initial thoughts was that with closure of the street next to the Plaza, this could be the space necessary to have a larger 20,000 square foot Plaza. Therefore, it is not a foregone conclusion that the Plaza itself has to be 20,000 square feet.
- Director Buehner said this would impact whether the street would be a public street. Senior Planner Nachbar said the concept that is being considered is that the area would be constructed with brick pavers that could be used by cars, but would be pedestrian oriented and traffic would move very slowly through with the ability to close off the area for additional Plaza space.

- Director Buehner thanked all of the members of the Task Force and the City Center Advisory Commission who worked on this process.
- Director Woodruff said he recently attended the West Linn Farmer's Market, which is held on wide streets along the sidewalk.
- Chair Dirksen said he supports Director Wilson's comments with regard to the circulation streets and the park with regard to active and passive use.; it should be flexible. He encouraged the Fanno Creek Master Plan Steering Committee to work with the different agencies to discuss what can and cannot be used within the confines of the law and what kind of flexibility there might be. If we "wall off" the park from our citizens so they cannot interact with it, then they will not care about it and, in the end, will be less environmentally positive than if we open up the space, allow people to use it, and embrace it to appreciate it. Chair Dirksen said that it is his understanding that when "we approve" the Concept Plan, that it is a plan that is a concept and there is room for flexibility and design guidelines that need to come forward. As it develops, it will mature into its final product. Chair Dirksen said that "What we approving tonight is the general location of the Plaza and also the general concepts of the development around it."
- Director Wilson added comments regarding the urban creek idea and Marland Henderson's concept of water from Clean Water Services treatment plant. Currently, the water is too warm. The idea is that if the water were to be pumped underground for about a mile to the site, it could be discharged into the urban stream, which would then go to Fanno Creek. While it is a concept at this point, it is an idea that should be explored to help increase flows in the creek with water that is near drinking-water quality.

g. Chair Dirksen closed the public hearing.

h. CCDA Consideration: CCDA Resolution No. 07-03

Motion by Director Woodruff, seconded by Director Sherwood, to adopt Resolution No. 07-03, relating to Scheme 1, the Stevens Marine site.

CITY CENTER DEVELOPMENT AGENCY RESOLUTION NO. 07-03 – A  
RESOLUTION SELECTING THE LOCATION FOR THE DOWNTOWN  
PUBLIC PLAZA

The motion was approved by a unanimous vote of CCDA present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Wilson	Yes
Director Sherwood	Yes

Director Woodruff      Yes

*Adjourn City Center Development Agency (CCDA) (9:29 p.m.)*

Motion by Director Sherwood, seconded by Director Woodruff, to adjourn the CCDA meeting.

The motion was approved by a unanimous vote of CCDA present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Wilson	Yes
Director Sherwood	Yes
Director Woodruff	Yes

(Recorder's Note: Council meeting reconvened at 7:37 p.m. – see Agenda Item No. 8)

7. INFORMATIONAL PUBLIC HEARING: READOPTION OF RESOLUTION NO. 07-50 FORMING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 44 (SW CHERRY DRIVE) WITH REVISED EXHIBITS

- a. Mayor Dirksen opened the public hearing.
- b. City Engineer Duenas presented the staff report. The PowerPoint presentation overview is on file in the City Recorder's office.

On July 24, 2007, the City Council approved a resolution to form the district, but directed staff to remove four lots, which will be served through a rear alignment to those properties. Now, there are 19 lots in the proposed district. City Engineer Duenas reviewed the comparison costs; the cost for an average lot is about \$24,388. For all 19 lots, the estimated cost \$463,364.

Mr. Duenas reviewed the incentive program and deferrals available.

This project is planned to be done this fall. One lot is experiencing septic system problems. The final cost will be based on actual construction costs plus the 13-1/2 percent engineering and inspection fees. After the work has completed the district will be brought back to the City Council for finalization.

City Engineer Duenas requested that once the City Council approves the resolution for form the district that once the project has been completed and accepted that an early connection be made for the one lot experiencing the septic problem and not wait until the City Council approves the finalization.

- c. Councilor Sherwood asked if this project would be started as soon as City Council approves the resolution. City Engineer Duenas advised the project must be bid out; the design has been completed. In response to Councilor Buehner, City Engineer Duenas advised the project could probably be started after the bid award, which is anticipated to be ready in about six weeks.

Councilor Wilson asked if the removal of the four lots allowed for a reduction in the depth of the trenches. City Engineer Duenas said yes the depth was reduced; however, with the removal of the four lots the savings were offset because now there are only 19 lots sharing in the cost of the district rather than 23. Mayor Dirksen and the City Engineer reviewed the final costs for this district and the separate district for the other four lots; this is a slightly more expensive alternative. City Engineer Duenas noted some of the lots would have needed to pump the sewer; with the new design, no pumps will be needed.

- d. Public testimony: None.
- e. City Engineer Duenas advised that staff recommends the City Council approve the readoption of the resolution with the corrected exhibits.

Councilor Wilson said he understands why lots should not be served from the rear because of difficulties for maintenance (access). Even though this alternative is a little more expensive, it is better for those that we are serving because no pumping will be needed.

Councilor Buehner asked if appropriate easements will be acquired to facilitate access for maintenance. City Engineer Duenas said acquiring easements will be part of the project.

Councilor Woodruff asked if the residents have been advised of the changes in costs. City Engineer Duenas said he has not heard any negative comments and described the staff's work with the residents.

- f. Mayor Dirksen closed the public hearing.
- g. Council Consideration: Re-adoption of Resolution No. 07-50

Motion by Councilor Buehner, seconded by Councilor Woodruff, to readopt Resolution No. 07-50.

READOPTATION OF RESOLUTION NO. 07-50 – A RESOLUTION  
ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO.  
44 (SW CHERRY DRIVE)

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

City Engineer Duenas confirmed with the Mayor and City Council that staff has permission to make the early connection as he proposed during his staff report to the City Council.

- Motion by Councilor Sherwood, seconded by Councilor Woodruff, to recess the City Council meeting.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

(City Center Development Agency convened at this time; see Page 6)

## 8. UPDATE ON LIBRARY TECHNOLOGY RESOURCES

- Library Director Barnes reviewed this agenda item with the City Council. The PowerPoint presentation overview is on file in the City Recorder's office.

Three specific features were reviewed:

1. Many databases on thousands of topics can be accessed through the library catalog from home or at the library.
2. Patrons can access their own accounts from home to find out what they have checked out, learn their due dates, put items on hold, renew them and much more. In they choose, they can receive email alerts about items due soon.
3. Downloadable audio books from the Library 2 Go Service offers a new way to select a book and download it on a personal computer or MP3 player.

## 9. UPDATE ON LIBRARY SUMMER READING PROGRAM

- Library Director Barnes reviewed this agenda item with the City Council. The PowerPoint presentation overview is on file in the City Recorder's office.

The Library hosted three separate summer reading programs this year for children, teens and adults. All three programs broke records for participation from 2006. Throughout the summer the library offered a series of special events, including children's programs, movie matinees, a teen mystery game night and author talks.

Summer reading goals included:

1. Helping children and teens maintain their reading skills through the summer.
2. Providing programs that allow readers of all ages to socialize while continuing to use the library.
3. Providing an opportunity for adults to be role models as readers.

Discussion was held on an adult library reading program, including a suggestion by Councilor Buehner to include a non-fiction reading program.

13. ADJOURNMENT:

Motion by Councilor Sherwood, seconded by Councilor Buehner to adjourn the meeting.

The motion was approved by a majority vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	No
Councilor Woodruff	Yes

The meeting adjourned at 9:58 p.m.

Attest:

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Catherine Wheatley, City Recorder

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Mayor/CCDA Chair, City of Tigard

Date: \_\_\_\_\_

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# MEMORANDUM

TO: Honorable Mayor & City Council  
FROM: Cathy Wheatley, City Recorder  
RE: Three-Month Council Meeting Calendar  
DATE: September 25, 2007

Agenda Item No. 3.2.a  
For Agenda of October 9, 2007

Regularly scheduled Council meetings are marked with an asterisk (\*).

## October

9*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
16*	Tuesday	Council Workshop Meeting – 6:30 pm, Town Hall
23*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
30	Tuesday	Fifth Tuesday Council Meeting – Tigard Water Building, 7-9 p.m.

## November

6	Tuesday	Council Business Meeting – 6:30 pm, Town Hall (The business meeting was moved to the first Tuesday of November to accommodate Council attendance at the National League of Cities Conference the following week.)
20*	Tuesday	Council Workshop Meeting – 6:30 pm, Town Hall
27*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall

## December

11*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
18*	Tuesday	Council Business Meeting – 6:30 pm, Town Hall
		December 25, 2007, City Council meeting is cancelled.

Tigard City Council Tentative Agenda 2007

Agenda Item No. 3.2.6  
Meeting of Oct 9, 2007

<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b> <b>Mayor absent.</b>	<b>October 9, 2007</b> Business/6:30 p.m. City Hall  September 25, 2007	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b>	<b>October 16, 2007</b> Workshop/6:30 p.m. City Hall  October 2, 2007	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b>	<b>October 23, 2007</b> Business/6:30 p.m. City Hall  October 9, 2007
Study Session		Workshop Agenda		Study Session	
		Joint Meeting with Senior Center Board - Loreen - 30 min. - SI Joint Meeting with the Budget Committee - Bob - 30 min. - SI Transportation Project Funding - Gus D. - 50 min. Legislative Agenda - Liz N. - 20 min. Comprehensive Plan Update - Darren W. - 30 min. Goal 7 - Natural Hazards		2007 Oregon Fire Code Adoption - Brian B. - 15 min. RFQ for Community Survey - Liz. - 20 min. Consent Agenda LCRB-Award Const. Contract for Cherry Dr. Sewer Reimb. Dist. #44- Gus D. LCRB-Award Contract for Landscape Architect of Record - Dennis K. LCRB-Purchase 2 Ford F-250's - Dennis K. Auth. City Mgr. to Execute Deed Rest. - Skate Park Auth. City Mgr. to Execute Deed Rest. - 550' Reserv. Authorizing Mayor to sign Dedication of Non-Access Reserve Strips - Gus D. - RES City Manager Employment Agreement - Craig P. 2007 Oregon Fire Code Adoption - Brian B.	
Consent Agenda					
Authorize Phase II Senior Center CDBG Application - Duane R.					
Business Meeting				Business Meeting	
THS Student Envoy - 10 min. QJPH - Highland Hills Subdivision Annexation - Emily E. - 45 min.- ORD Skate Park Progress Report - Dennis K./Dan P.- 10 min. JOIN Presentation re: Finding Permanent Housing for Homeless Individuals & Families - Chief D. - 30 min.				Chamber of Commerce Rep. - 10 min. Review Downtown Fanno Creek Park Design Alternatives & Select Preferred Alternative - Phil N. - 60 min. City Bldgs. & Property Security Enhancements- Loreen M. - 20 min. - ORD Legis. Public Hearing - Darren W. - 45 min. -ORD Comp Plan Amendment: Goal 8: Parks, Rec & Open Space Goal 6: Air, Water & Land Resource Quality Goal 13: Energy Conservation	
Time Avail: 135 min. - Time Scheduled: 95 min. Time Left: 40 min.		Time Avail: 200 min. - Time Scheduled: 160 min. Time Left: 40 min.		Time Avail: 135 min. - Time Scheduled: 135 min. Time Left: 0 min.	

Tigard City Council Tentative Agenda 2007

Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	October 30, 2007 5th Tuesday/7-9 p.m. Water Building Aud.	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	November 6, 2007 Business/6:30 p.m. City Hall  October 23, 2007	Meeting Date: Meeting Type/Time: Location: Greeter: Materials Due @ 5:	November 20, 2007 Workshop/6:30 p.m. City Hall  November 6, 2007
Fifth Tuesday Meeting		Study Session		Workshop Agenda	
		Executive Session re Real Property Transactions under ORS 192.660 (2) (e) - Dennis 15 min.		Joint Meeting with Park and Recreation Advisory Board - Dennis K./Dan P. - 30 min. Comprehensive Plan Update - Darren W. - 30 min. - Goal 11 - Public Facilities & Services Insurance Funding Options-Loreen M -PPT -30 Police Department's Strategic Plan - Chief D. 30 min.	
		Consent Agenda			
		LCRB-Award Const. Contract for Sr. Center - Dennis K.			
		Business Meeting			
		THS Student Envoy - 10 min. Update from the Youth Advisory Council -Sheryl 15 min. - SI 3rd Quarter Goal Update - Craig P. - 15 min. -SI Adopt Legislative Priorities - Liz <b>Need RTS</b> CCDA - Downtown Real Estate Development Strategy Presentation with Leland Consulting Sean F. & Ron B. - PPT - 50 min.			
Time Avail: 135 min. - Time Scheduled: 90 min. Time Left: 45 min.		Time Avail: 200 min. - Time Scheduled: 120 min. Time Left: 80 min.			

Tigard City Council Tentative Agenda 2007

<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b>	<b>November 27, 2007</b> Business/6:30 p.m. City Hall  November 13, 2007	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b>	<b>December 11, 2007</b> Business/6:30 p.m. City Hall  November 27, 2007	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b>	<b>December 18, 2007</b> Business/6:30 p.m. City Hall  December 4, 2007
Study Session		Study Session		Study Session	
		City Attorney Review - 30 min. - Craig P. - SI		Comprehensive Plan Update - Darren W. - 30 min. Report on Community Survey Results - Liz - 20 min (Might move to Business Meeting)	
Consent Agenda		Consent Agenda		Consent Agenda	
Business Meeting		Business Meeting		Business Meeting	
Chamber of Commerce Rep.- 10 min. Adopt Fanno Creek Park and DT Plaza Master Plan - Phil N. - RES - 30 min. Legis. Public Hearing - Darren W. - 45 min. -ORD Comp Plan Amendment: Goal 7: Hazards <b>Need RTS</b> Legis. Public Hearing - Ron B. - 30 min. -ORD Comp Plan Amendment (CPA2007-00003) Annexation Policy amending Comp Plan Policy 10.2.1		THS Student Envoy - 10 min. Annual Emergency Management Program Update - Mike L. - 20 min. - SI Legis. Public Hearing - Darren W. - 45 min. -ORD Comp Plan Amendment: Goal 11: Public Facilities & Services <b>Need RTS</b>		Chamber of Commerce Rep. - 10 min. Comprehensive Plan Update - Darren W. - 30 min. - Goal 1 - Citizen Involvement <b>Need RTS</b>	
Time Avail: 135 min. - Time Scheduled: 115 min. Time Left: 20 min.		Time Avail: 135 min. - Time Scheduled: 75 min. Time Left: 60 min.		Time Avail: 135 min. - Time Scheduled: 40 min. Time Left: 95 min.	

Agenda Item #

Meeting Date

October 9, 2007

## CITY CENTER DEVELOPMENT AGENCY AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Community Development Block Grant Project (CDBG) Proposal

Prepared By: Duane Roberts

Dept Head Approval: TC

City Mgr Approval: gcm/fw CP

### ISSUE BEFORE THE CITY CENTER DEVELOPMENT AGENCY

Should Council approve a resolution endorsing the submittal of a Senior Center Phase II Community Development Block Grant (CDBG) project application?

### STAFF RECOMMENDATION

Staff recommends Council authorize the submittal of the application.

### KEY FACTS AND INFORMATION SUMMARY

The Community Development Block Grant (CDBG) Program is a federal program that annually provides more than \$2 million to Washington County to fund activities that benefit low and moderate income persons. The County distributes the money to local jurisdictions and nonprofit agencies based on project applications submitted by sponsors. It currently is accepting project proposals for the 08/09 funding year. The application deadline is 10/12/07.

During several meetings last year, Council discussed Senior Center improvement needs. The original building was constructed some 27 years ago. During that time, only minor improvements to the kitchen facilities, restrooms, wiring (electrical, phone, and data), floor coverings, paint, and seismic conditions have been made. During the same period, participation in Senior Center activities and services has increased at a steady rate each year. As a result of its age and increasing use, the Senior Center building had become inadequate in terms of space and functionality.

The center's priority renovation and expansion needs were identified in a year-ago CDBG application. This application was selected for funding, but was awarded a reduced amount (\$307,000 vs \$475,000 requested). Improvements funded by this grant and local matching dollars are scheduled to be underway in early November and completed in January. These funded improvements include:

- Remodel the kitchen area and install modern, commercial grade, and properly-vented equipment.
- Upgrade pantry area refrigerator and freezer.
- Separate the Meals on Wheels preparation area from the dining area.
- Replace the two side-by-side Meals on Wheels and delivery truck loading dock areas with reconfigured, one-level, concrete platform.
- Upgrade the two upstairs restrooms and two downstairs restrooms with new fixtures and open-door style entrances as needed to bring these facilities into compliance with current ADA standards.
- Upgrade upstairs lighting fixtures and electrical and phone wiring throughout the existing structure and expanded facility.

- Construct 620-square foot library and lecture room.
- Undertake seismic upgrades to the building.
- Widen the front sidewalk and extend it by 90-feet to the loading dock area.
- Replace upstairs floor coverings and paint portions of the building.

The present application is for the grant dollars needed to help finance the remaining improvements to the Senior Center. These primarily include the addition of a 619-square foot “garden room” to the lower level of the two-story Senior Center structure. The addition will provide much-needed activity and classroom space for the center’s many green thumb enthusiasts, as well as space for other types of classes. Also included in the Phase II work scope are walkways and other site improvements associated with the garden room.

The Phase I and II improvements will serve the current and growing population of Tigard elderly.

City Finance Department review of the four projects for financial, budgetary, and purchasing requirements is in process. Copies of the draft project proposal will be available in the City Recorder's office.

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#### **OTHER ALTERNATIVES CONSIDERED**

Do not submit the proposal.

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#### **CITY COUNCIL GOALS**

N/A

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#### **ATTACHMENT LIST**

Attachment 1: Resolution supporting applications for CDBG funds

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#### **FISCAL NOTES**

The amount of the grant funds requested is shown below, along with proposed local share contributions. The matching amount of \$71,000 is identified in the adopted Community Investment Plan. The City dollars would come from the General Fund.

The City’s in-kind contribution includes grant administration and building inspection services. The City also may be able to count as an in-kind contribution the staff time required for the relocation and operation of programs away from the center during the remodel.

Project	Grant Dollars	City Cash	City In-Kind
Senior Center II	\$115,000	\$71,000	\$ 3,900

Approval of the resolution does not financially obligate the City. Actual appropriation of funds and acceptance of a grant would require separate budget committee action.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
RESOLUTION NO. 07-\_\_\_\_\_

A RESOLUTION OF THE TIGARD CITY COUNCIL SUPPORTING AN APPLICATION  
FOR FEDERAL ASSISTANCE TO PARTIALLY FINANCE IMPROVEMENTS TO THE  
TIGARD SENIOR CENTER

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WHEREAS, the Tigard Senior Center was constructed in 1980; and

WHEREAS, some space and design improvements were carried out in 1989; and

WHEREAS, participation in Senior Center activities and services has increased at a steady rate each year; and

WHEREAS, the Senior Center is now some 27 years old and is inadequate in terms of current space and functionality needs; and

WHEREAS, major upgrades to the kitchen, upstairs and downstairs restrooms, wiring, floor coverings, paint, and seismic condition are needed to serve the current and growing population of elderly; and

WHEREAS, these needs were identified in a year-ago application for Community Development Block Grant funding assistance; and

WHEREAS, this year-ago application was selected for funding, but was awarded a reduced amount; and

WHEREAS, this reduced award, combined with City and Loaves and Fishes matching dollars, enabled the City to finance most of the Senior Center renovation needs identified above; and

WHEREAS, the remaining or unfunded improvements to the Tigard Senior Center are defined in a current-year application for federal Community Development Block Grant funds; and

WHEREAS, the Loaves and Fishes programs based in the Senior Center are an essential part of community services to the elderly; and

WHEREAS, the proposed Phase II improvement meets the national and county Community Development Block Grant objective of serving persons having low and moderate incomes; and

WHEREAS, Washington County will receive an estimated 2 million dollars in FY 07-08 for which ten cities, the county, and various non-profit agencies will compete for the funding of various projects.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City of Tigard hereby expresses its support for making improvements to the Tigard Senior Center and authorizes submission of an application for federal assistance.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2007.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

Agenda Item #

Meeting Date

10/9/2007

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title ZCA2007-00003 Highland Hills Subdivision Annexation

Prepared By: Emily Eng

Dept Head Approval: TC

City Mgr Approval: eam for CP

### ISSUE BEFORE THE COUNCIL

Shall City Council approve annexation of one parcel containing 1.81 acres of land (Zone Change Annexation - ZCA2007-00003) north of SW Bull Mountain Road, just west of Raven Ridge subdivision?

The proposed territory is within a pocket of unincorporated territory, contiguous to Tigard's City limits and can be served by urban services.

### STAFF RECOMMENDATION

Staff recommends adopting the proposed ordinance annexing the subject territory to the City of Tigard.

### KEY FACTS AND INFORMATION SUMMARY

The 1.81-acre subject property is north of SW Bull Mountain Road with access to it through a private shared driveway. The subject property abuts the northern boundary of Alpine View subdivision, east of SW 133rd Avenue. The property slopes down about 9% to 10% from west to east. There are no Significant Habitat Areas on the subject property per the City's adopted map. The existing house was built in 1963. An accessory structure also exists on the site.

Shadypeak Development, LLC, purchased the property on April 25, 2006. Tom Secolo and Nate Schwalbach, representatives of the company, initiated the annexation request. There are no registered voters on the property. The City invited the owners of the five neighboring properties to join the annexation, but did not receive a response.

The applicant requests approval of annexation of one parcel (1.81 acres) to the City of Tigard. Staff found all right-of-way associated with the subject property to already be within City limits. The private accessway adjacent to the subject property is already in the City. Therefore, no right-of-way is included in the total acreage.

The owner received land use approval from Washington County on May 18, 2007 for an 11-lot subdivision (Highland Hills Subdivision, case file # 07-034-S). However, the available sewer, water and storm drainage connections are within the City of Tigard, requiring the property to be annexed into the City to receive services.

#### Key findings:

1. The proposed territory is within a pocket of unincorporated territory and contiguous to Tigard's City limits;
2. Urban services are available to serve the proposed territory;
3. The owner of the proposed territory has consented to the annexation;

4. The proposed territory is within Tigard's Urban Growth Boundary and Metro's Urban Growth Boundary; and
5. The proposed territory is within Tigard's Urban Service Area and Area of Interest.

---

#### OTHER ALTERNATIVES CONSIDERED

Adopting findings to deny the annexation.

---

#### CITY COUNCIL GOALS

Growth and Growth Management, Goal # 2: Urban services will be provided to all citizens within Tigard's urban growth boundary.

---

#### ATTACHMENT LIST

- Attachment 1: Proposed Ordinance
- Exhibit A: Legal Description
- Exhibit B: Tax Map
- Exhibit C: Applicant's Petition to Annex
- Exhibit D: Vicinity Map
- Exhibit E: Highland Hills Preliminary Plat Approved by the County
- Exhibit F: Staff Report

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#### FISCAL NOTES

If approved, the proposed annexation territory would be transferred to the City's tax roll on July 1, 2008. Annexations must be final by March 31 of the same calendar year for the tax year beginning July 1.

CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
ORDINANCE NO. 2007- \_\_\_\_\_

AN ORDINANCE ANNEXING 1.81 ACRES, APPROVING THE HIGHLAND HILLS SUBDIVISION ANNEXATION (ZCA2007-00003) AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT AND WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT.

---

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(b), ORS 222.125, and ORS 222.170(1) to annex contiguous territory upon receiving written consent from owners of land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, Washington County Enhanced Sheriff's Patrol District and Washington County Urban Roads Maintenance District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on October 9, 2007, to consider the annexation of one (1) parcel (Washington County Tax Map 2S109AB, Tax Lot 300) of land located north of SW Bull Mountain Road and withdrawal of said property from the Tigard Water District, Washington County Enhanced Sheriff's Patrol District and Washington County Urban Roads Maintenance District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Tigard Water District for certain debt obligations, however, in this instance the Tigard Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, Washington County Enhanced Sheriff's Patrol District and Washington County Urban Roads Maintenance District on October 9, 2007; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, Washington County Enhanced Sheriff's Patrol District and Washington County Urban Roads Maintenance District; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

ORDINANCE No. 07-

WHEREAS, the Tigard City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed property from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcel described in the attached Exhibit "A" and shown in Exhibit "B" and withdraws said parcel from the Tigard Water District, Washington County Enhanced Sheriff's Patrol District and Washington County Urban Roads Maintenance District.

SECTION 2: The Tigard City Council adopts the "Staff Report to the City Council" as findings in support of this decision; a copy of the staff report is attached hereto as Exhibit "F" and incorporated herein by this reference.

SECTION 3: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 4: City staff is directed to take all necessary measures to implement the annexation, including certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 5: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from Washington County Enhanced Sheriff's Patrol District and Washington County Urban Roads Maintenance District shall be the effective date of this annexation.

SECTION 6: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2008.

SECTION 7: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By \_\_\_\_\_ vote of all Council members present after being read by number and title only, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

---

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Craig Dirksen, Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date



Centerline Concepts, Inc.

## EXHIBIT "A"

February 27, 2006  
Shady Peak

That tract of land described in document no. 2003-174218, Washington County deed records, in the NE 1/4 of Section 9, T.2S., R.1W., W.M., Washington County, Oregon, being more particularly described as follows:

BEGINNING at the northwest corner of Lot 28, "Raven Ridge", Washington County Plat records; thence S00°05'57"E on the west line of said Lot 28, a distance of 52.45 to the most westerly southwest corner of said Lot 28; thence S89°58'23"W on the north line of that tract of land described in document no. 90-041679, Washington County deed records, a distance of 250.00 feet to the east line of that tract of land described in document no. 2005-008270, Washington County deed records; thence N00°05'57"W on said east line and the east line of that tract of land described in document no. 91-030146, Washington County deed records, a distance of 315.00 feet to the southwest corner of that tract of land described in deed book 803, page 479, recorded January 11, 1971, Washington County deed records; thence S89°58'11"E on the south line of said book 803, page 479 tract, a distance of 250.00 feet to the most westerly northwest corner of said "Raven Ridge"; thence S00°05'57"E on the west line of said "Raven Ridge" a distance of 262.53 feet to the POINT OF BEGINNING.

Said tract of land contains 78,748 square feet more or less.

Subject to easements of record.

**ANNEXATION CERTIFIED**

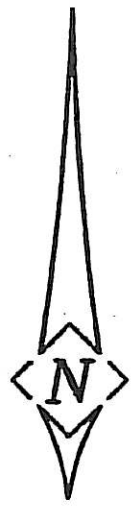
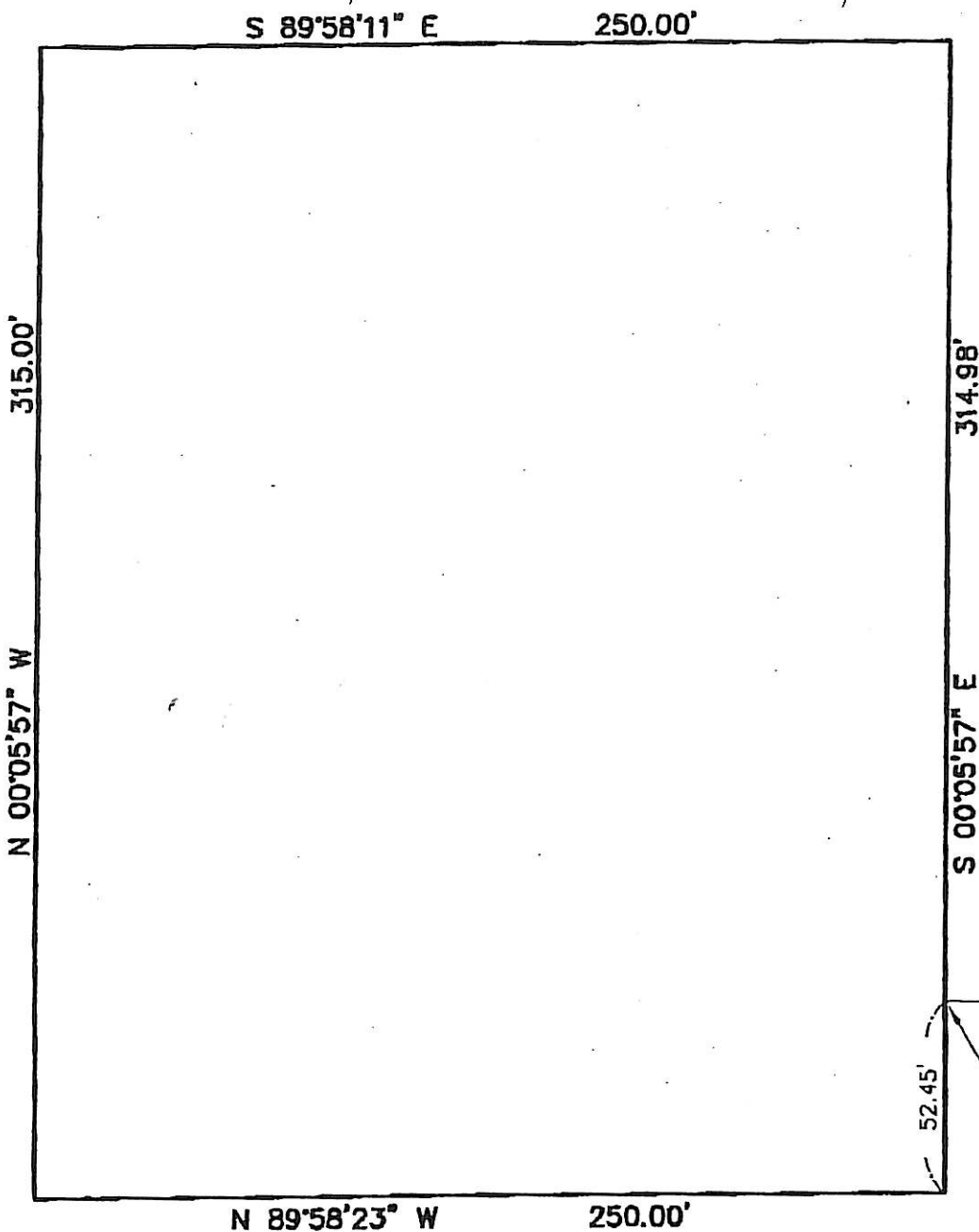
BY FDR

JUL 24 2007

**WASHINGTON COUNTY A & T  
CARTOGRAPHY**

Q:\DOCS\LGLDESC\Shady1546-02LegalForAnnexWash2-27-2006.doc

700 Molalla Avenue Oregon City, Oregon 97045  
503 650-0188 fax 503 650-0189



S.W.  
HOODVISTA  
LANE


NORTHWEST  
CORNER OF LOT 28  
"RAVEN RIDGE"

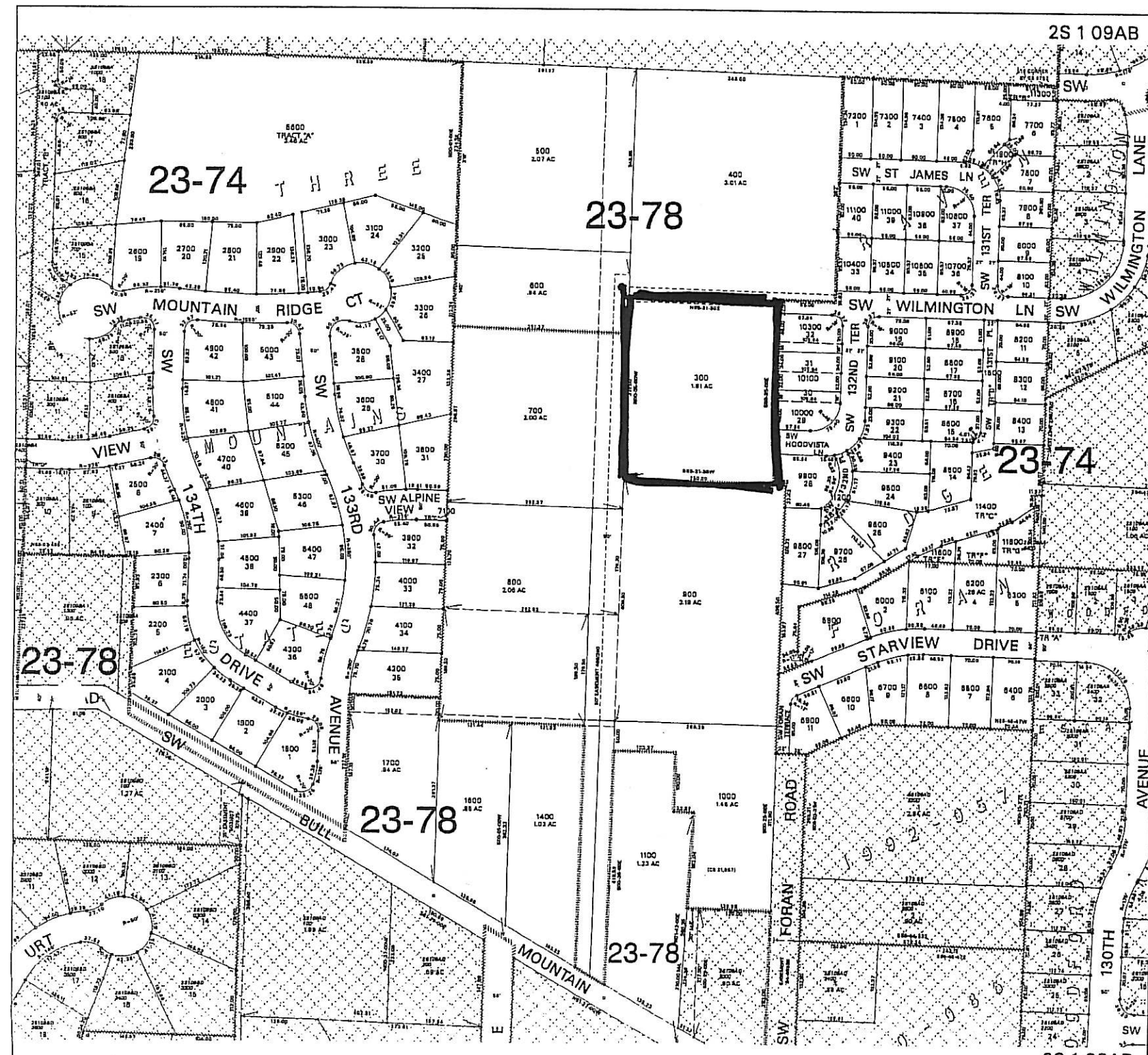
SIGNED ON: 2-27-06

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 16, 1987  
WADE G. DONOVAN III  
2276

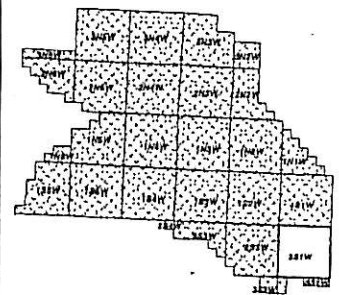
VALID THROUGH DECEMBER 31, 2007

N.E. 1/4 SEC. 9, T.2S., R.1W., W.M.	
WASHINGTON COUNTY, OREGON	
FEBRUARY 27, 2006	
DRAWN: MSG	CHECKED: WGDIII
SCALE 1"=50' ACCOUNT # 1546-02	
M: \PROJECTS\SHADYPEAK-02\SHADYP-EX	
	
Centerline Concepts Inc.	
700 MOLALLA AVE., OREGON CITY, OREGON 97045	
PHONE 503.650.0188 FAX 503.650.0189	

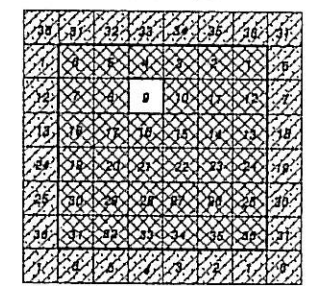


2S 1 09AB

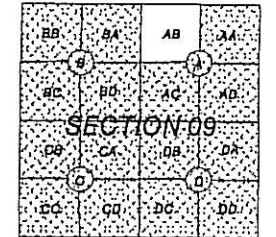
2S 1 09AB



WASHINGTON COUNTY OREGON  
NW 1/4 NE 1/4 SECTION 09 T2S R1W W.M.  
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)



Cancelled Taxlots For: 2S109AB  
1300, 1200, 1400, 100, 200, 7000, 16200, 11700, 5700, 5500.

**Assessment**

**CARTOGRAPHY**

**Taxation**

PLOT DATE: March 10, 2005  
FOR ASSESSMENT PURPOSE:  
ONLY - DO NOT RELY ON  
FOR OTHER USE  
Map areas delineated by either gray shading or a cross-hatch pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate for the most current information.

EXHIBIT B

2S 1 09AB

TIGARD  
2S 1 09AB

**EXHIBIT C**

TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

**LEGEND:**

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

[illegible]

# DOUBLE MAJORITY WORKSHEET FOR ANNEXATION TO THE CITY OF TIGARD

Please list all properties/registered voters included in the proposal. ( If needed, use separate sheets for additional listings.)

## \*\*PROPERTIES\*\*

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
25109AB T.L. 300	SMARY PEAK DEVELOPMENT	1.81	\$581,910.	✓	
TOTALS					

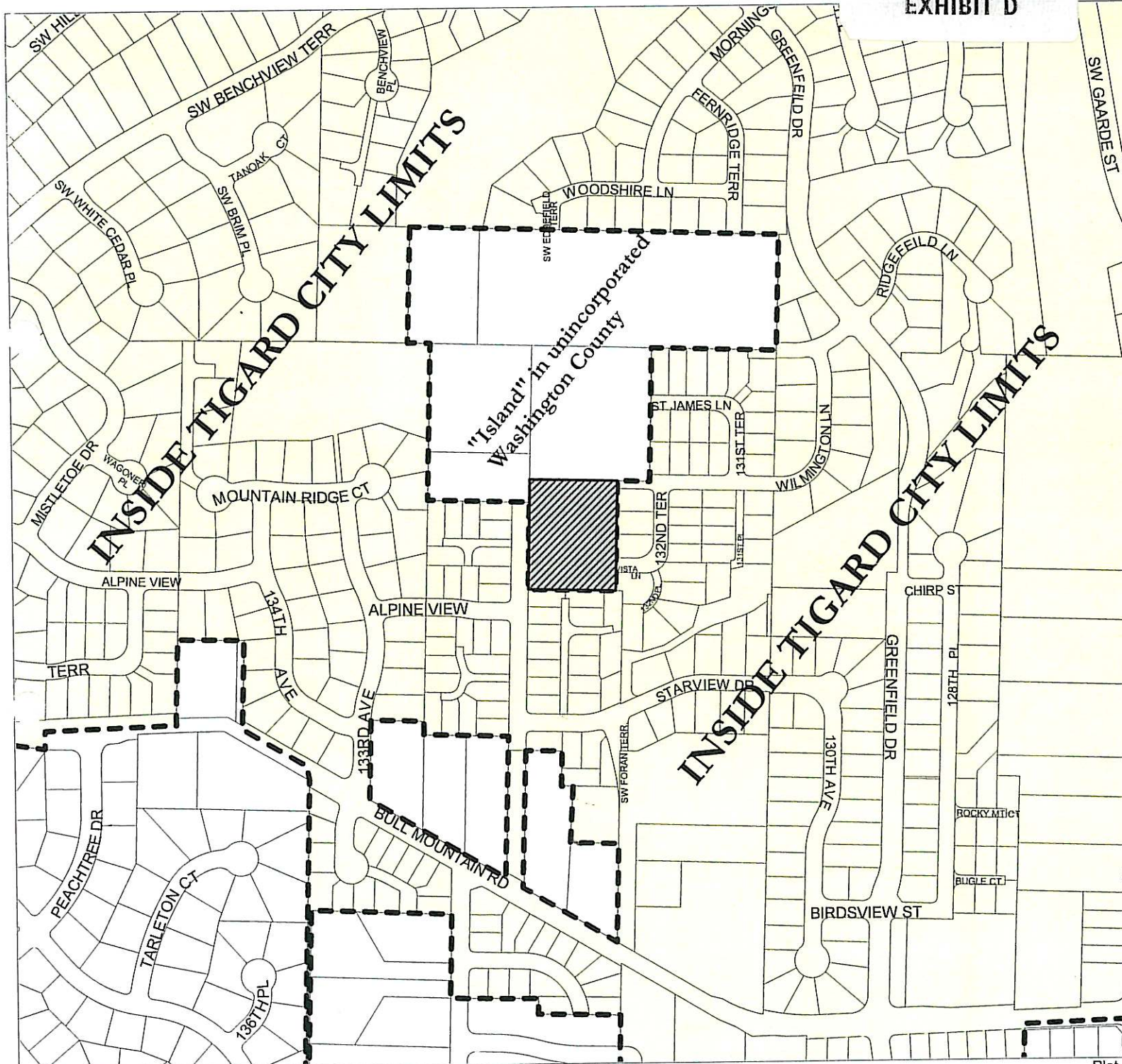
## \*\*REGISTERED VOTERS\*\*

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION	
		YES	NO
13273 S.W. BULL MOUNTAIN ROAD	SMARY PEAK DEVELOPMENT	✓	
TOTALS			

## \*\*SUMMARY\*\*

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: 2  
 NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: 2  
 PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: 100%  
 TOTAL ACREAGE IN THE PROPOSAL: 1.81  
 ACREAGE SIGNED FOR: 1.81  
 PERCENTAGE OF ACREAGE SIGNED FOR: 100%  
 TOTAL NUMBER OF SINGLE-FAMILY UNITS: 1  
 TOTAL NUMBER OF MULTI-FAMILY UNITS: 0  
 TOTAL NUMBER OF COMMERCIAL STRUCTURES: 0  
 TOTAL NUMBER OF INDUSTRIAL STRUCTURES: 0

# EXHIBIT D



## CITY of TIGARD GEOGRAPHIC INFORMATION SYSTEM VICINITY MAP

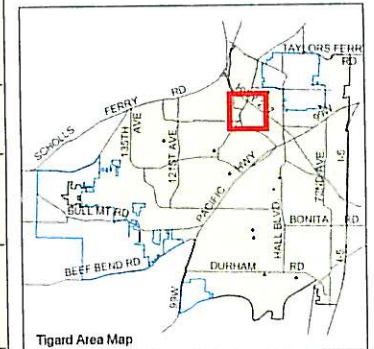
ZCA2007-00003

HIGHLAND HILLS  
SUBDIVISION  
ANNEXATION

### LEGEND:



SUBJECT  
SITE



Tigard Area Map



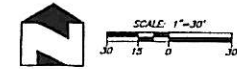
0 80 160 240 320 400 Feet

1" = 312 feet



Information on this map is for general location only and  
should be verified with the Development Services Division.  
13125 SW Hall Blvd  
Tigard, OR 97223  
(503) 639-4171  
<http://www.ci.tigard.or.us>

# EXHIBIT E



## LEGEND

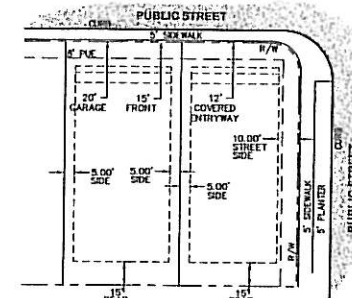
---	EXISTING BOUNDARY	---	PROPOSED CENTERLINE
---	EXISTING RIGHT-OF-WAY	---	EXISTING CENTERLINE
---	PROPOSED YARD SETBACK LINE	---	FUTURE CENTERLINE
---	PROPOSED LOT LINE	---	8' PUBLIC UTILITY EASEMENT
---	PROPOSED RIGHT-OF-WAY	---	PROPOSED EASEMENT

## NOTES:

- TRACT "A" IS A WATER QUALITY FACILITY TRACT TO CLEAN WATER SERVICES.
- REMAINING PORTION OF RIGHT-OF-WAY FOR SW WILMINGTON WILL BE DEDICATED WITH FUTURE DEVELOPMENT OF PROPERTY TO NORTH.

## LOT AND TRACT CURVED DATA TABLE

CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD	CHORD BEARING
C1	38.32'	160.00'	19.25'	13°43'23"	38.23'	S 83°08'19" W
C2	12.30'	205.00'	6.15'	3°26'18"	12.30'	N 77°59'46" E
C3	36.91'	205.00'	18.50'	10°18'54"	36.80'	N 84°52'22" E
C4	22.02'	14.00'	14.03'	90°07'46"	19.82'	S 44°57'56" W
C5	21.99'	14.00'	14.00'	90°00'00"	19.80'	S 45°05'57" E
C6	21.99'	14.00'	14.00'	90°00'00"	19.80'	S 44°54'03" W



TYPICAL LOT SETBACKS  
NOT TO SCALE

## LOT AVERAGING CALCULATIONS

LOT	AREA (SF)	CODE	DESIGNED
1	5,097	MIN. LOT AREA =	4,000
2	4,744	MIN. AVG. LOT AREA =	4,500
3	4,703		4,922
4	4,703		
5	4,661		
6	4,657		
7	4,693		
8	4,680		
9	4,662		
10	4,678		
11	6,841		
	54,145		

## DESIGN DEVELOPMENT PLANS

## PRELIMINARY PLAT HIGHLAND HILLS

13273 SW BULL MOUNTAIN ROAD, PORTLAND, OREGON 97224  
HIGHLAND PROPERTIES

FILE: DD-BASE  
DATE: 11/02/2006  
DESIGNED: RCH  
DRAWN: RCH  
CHECKED: EME

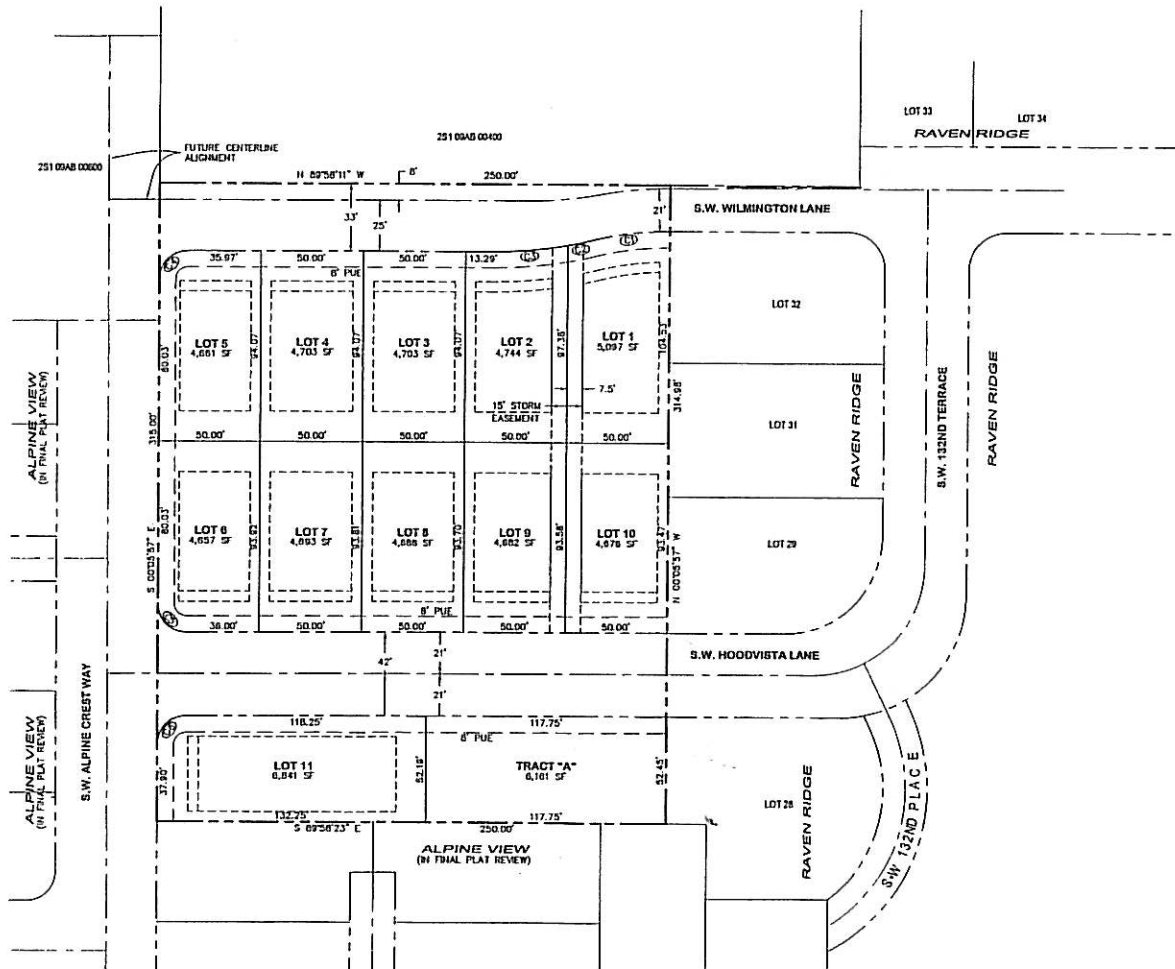
UPJ PROJECT NO.  
HPN 06-001

CASE FILE NO.  
PENDING

SHEET TITLE  
PRELIMINARY  
PLAT

SHEET NUMBER  
D3

LANPACIFIC  
1301 SE West Avenue, Suite 302, Portland, Oregon 97214  
TEL: 503.238-2587 FAX: 503.238-2447  
www.lanpacific.com



Agenda Item:

Hearing Date: October 9, 2007 Time: 7:30 PM

**STAFF REPORT TO THE  
CITY COUNCIL  
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = N/A

**SECTION I. APPLICATION SUMMARY**

**FILE NAME:** HIGHLAND HILLS SUBDIVISION ANNEXATION  
**CASE NO:** Zone Change Annexation (ZCA) ZCA2007-00003

<b>APPLICANT/ OWNER:</b>	Shadypeak Development, LLC Attn: Tom Secolo/ Nate Schwalbach 2675 SW Thurman Street Portland, OR 97210	<b>APPLICANT'S REP:</b>	Planning Resources, Inc. Attn: Dan Jung 7160 SW Fir Loop, Suite 201 Portland, OR 97223
------------------------------	--	-----------------------------	---

**PROPOSAL:** Annexation of one parcel just north of SW Bull Mountain Road containing a total of 1.81 acres to the City of Tigard. The applicant has received land use approval from Washington County to develop the parcel into an 11-lot subdivision (Highland Hills Subdivision, case file #07-034-S); however, the available sewer, water and storm drainage connections are within the City of Tigard, requiring the property to be annexed into the City to receive services. Shady Peak Development, the sole owner of the subject parcel, has consented to the annexation. The owners of five neighboring properties were invited to join the annexation, but did not accept the invitation.

**LOCATION:** 13273 SW Bull Mountain Road (north of SW Bull Mountain Road, just west of Raven Ridge subdivision); WCTM 2S109AB, Tax Lot 300.

**CURRENT ZONE:** R-6 District (Residential 6 Units Per Acre). The purpose of the Washington County R-6 District is to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre, except as specified by Section 300-2 or Section 303-6. The intent of the R-6 District is to provide the opportunity for more flexibility in development than is allowed in the R-5 District. The average lot area for single family detached dwellings within a proposed development shall be no less than 4,500 square feet and the minimum lot area shall be 4,000 square feet. The minimum lot area for single family attached units shall be 3,500 square feet.

**EQUIVALENT CITY ZONE:** R-7: Medium-Density Residential District. The City of Tigard R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally. Note: In a subdivision, lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district as long as the average lot area for all lots is not less than allowed by the underlying zoning district. No lot created under this provision shall be less than 80% of the minimum lot size allowed in the underlying zoning district.

**APPLICABLE  
REVIEW**

**CRITERIA:** ORS Chapter 222, Metro Code Chapter 3.09, Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390.

**SECTION II. STAFF RECOMMENDATION**

Staff recommends that the Council find that the proposed annexation (ZCA2007-00003) meets all the approval criteria as identified in ORS Chapter 222, Metro Code Chapter 3.09, Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390. Therefore, staff recommends APPROVAL of ZCA2007-00003 by adoption of the attached ordinance.

**SECTION III. BACKGROUND INFORMATION**

The 1.81-acre subject property is north of SW Bull Mountain Road with access to it through a private shared driveway. The subject property abuts the northern boundary of Alpine View subdivision, east of SW 133<sup>rd</sup> Avenue. The property slopes down about 9% to 10% from west to east. There are no Significant Habitat Areas on the subject property per the City's adopted map. The existing house was built in 1963. An accessory structure also exists on the site.

Shadypeak Development, LLC, purchased the property on April 25, 2006. Tom Secolo and Nate Schwalbach, representatives of the company, initiated the annexation request. There are no registered voters on the property. The City invited the owners of the five neighboring properties to join the annexation, but did not receive a response.

The applicant requests approval of annexation of one parcel (1.81 acres) to the City of Tigard. Staff found all right-of-way associated with the subject property to already be within City limits. The private accessway adjacent to the subject property is already in the City. Therefore, no right-of-way is included in the total acreage.

The owner received land use approval from Washington County on May 18, 2007 for an 11-lot subdivision (Highland Hills Subdivision, case file #07-034-S). However, the available sewer, water and storm drainage connections are within the City of Tigard, requiring the property to be annexed into the City to receive services.

**SECTION IV. APPLICABLE REVIEW CRITERIA, FINDINGS AND CONCLUSIONS**

**State:** ORS Chapter 222

**Regional:** Metro Code Chapter 3.09

**City:** Comprehensive Plan Policies 2 and 10, Community Development Code Chapters 18.320 and 18.390.

**A. CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (TITLE 18)**

Staff has determined that the proposal is consistent with the relevant portions of the Community Development Code based on the following findings:

**1. Chapter 18.320.020: Approval Process and Standards.**

**B. Approval Criteria.** The decision to approve, approve with modification, or deny an application to annex property to the City shall be based on the following criteria:

**1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;**

The City of Tigard Comprehensive Plan's Urbanization Chapter (Policy 10.1.1) defines services as water, sewer, drainage, streets, police, and fire protection. Each service is addressed below.

Policy 10.1.1 further defines capacity as "adequate capacity, or such services to be made available," to serve the parcel "if developed to the most intense use allowed," and "will not significantly reduce the level of services available to developed and undeveloped land in the City of Tigard."

**Water – City of Tigard.** Tigard Water District currently serves the subject property. Upon annexation, City of Tigard will be the provider. Rob Murchison, Project Engineer in the Public Works Department, submitted comments on behalf of the Department that it does not object to the proposed annexation. Murchison states that the developer may be required to upsize the existing 4-inch water line on the north side of the property to an 8-inch line per the City of Tigard Water Master Plan. Water is available in SW Wilmington Road and SW Hood Vista Lane.

**Sewer – Clean Water Services/City of Tigard.** Upon annexation, the City of Tigard will be the provider of sewer service. According to pre-application notes by Kim McMillan (City of Tigard Engineering Department) dated April 6, 2006, the proposed territory would have access to an 8-inch sanitary sewer line in SW Wilmington Road and SW Hood Vista Lane. Prior to building, the development must connect to public sanitary sewer. It will be the developer's responsibility to extend the public sewer to serve the development and adjacent unserved properties.

**Drainage – Clean Water Services/City of Tigard.** Upon annexation, the City of Tigard will be the provider of storm drainage. The proposed territory has access to a City storm line in SW Wilmington Road and SW Hood Vista Lane. Prior to building, the development will be required to connect to the public drainage system.

**Streets – City of Tigard Capital Construction & Transportation Division.** The subject property is located adjacent to and east of SW Alpine Crest Way, which is adjacent to Alpine View Subdivision, approved by the City on July 18, 2005. Raven Ridge subdivision to the east contains two City street connections (SW Wilmington Lane and SW Hood Vista Lane) to which the development will connect. The County has required the developer to extend SW Wilmington Lane and SW Hood Vista Lane.

**Police – City of Tigard Police Department.** The City of Tigard Police Department reviewed the proposal and has no objections to it.

**Fire – Tualatin Valley Fire and Rescue (TVF&R).** The subject property is in Tualatin Valley Fire and Rescue's (TVF&R's) service area. TVF&R currently serves the subject property and will continue to serve it after it is annexed.

Based upon this review, staff finds that all public services (as defined by the Comprehensive Plan) are available to the proposed annexation territory and all public services have sufficient capacity to provide service to the proposed annexation territory.

**2. The applicable Comprehensive Plan policies and implementing ordinance provisions have been satisfied.**

Three Comprehensive Plan policies apply to the proposed annexation: 2.1.1, 10.1.1., and 10.1.2. Staff has determined that the proposal has satisfied the applicable Comprehensive Plan policies based on the following findings:

**Policy 2.1.1: Citizen Involvement.** The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

The City maintains an ongoing citizen involvement program. To assure citizens will be provided an opportunity to be involved in all phases of the planning process, the City provides notice for Type IV land-use applications. The City posted, mailed and published notice of the public hearing as follows. The City posted the hearing notice at four public places on August 24, 2007: Tigard Library, Tigard City Hall,

Tigard Permit Center, and in the vicinity of the proposed territory off SW Bull Mountain Road. The City published notice of the hearing in *The Tigard Tualatin Sherwood Times* for two successive weeks (September 20, 2007 and September 27, 2007) prior to the October 9, 2007, public hearing. The City also mailed notice to all interested parties and surrounding property owners within 500 feet on September 17, 2007). In addition, the City maintains a list of interested parties organized by geography. Notice was mailed to interested parties in the West area on September 17, 2007, including former members of Citizen Involvement Team West. Staff finds that this policy is met.

**Policy 10.1.1: Urbanization.** Prior to the annexation of land to the City of Tigard, a) the City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard: 1. Water; 2. Sewer; 3. Drainage; 4. Streets; 5. Police; and 6. Fire Protection.

As addressed under 18.320.020 above, adequate service is available to the proposed annexation territory. Upon annexation, the subject property will be zoned R-7, a Medium-Density Residential zone, with a minimum lot size of 5,000 square feet. The proposed territory has an estimated maximum density of 12 residential units and estimated minimum density of 10 units<sup>1</sup>. There will be 11 units based on the County-approved design.

The development will be required to connect to public service facilities, such as sewer, storm drainage and water, and provide the necessary street improvements. Based on findings by the applicant and City staff, there is adequate capacity to serve the annexation area (water, sewer, drainage, streets, police, fire protection) if developed to 11 residential units. The proposed annexation will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard.

Staff concludes that there is adequate capacity to serve the proposed territory (water, sewer, drainage, streets, police, fire protection) if developed to the density permitted, and the proposed annexation will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard.

b) If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the following: 1. The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: a) Water, b) Sewer, c) Drainage, and d) Streets. 2. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

This criterion does not apply. No capital improvements program requires a nonremonstrance agreement for this area. Some urban services are already available for the proposed annexation territory; others are available nearby and would require connections from the proposed annexation area. However, these public facility requirements have been assigned as part of the recent development review by the County.

c) The City shall provide urban services to areas within the Tigard Urban Planning Area or within the Urban Growth Boundary upon annexation.

The proposed territory is within the Tigard Urban Planning Area and within the City's Urban Growth Boundary. Upon annexation, urban services will be provided as outlined in the Washington County-Tigard Urban Planning Area Agreement, Tigard Urban Services Agreement and current City policies. Staff finds that this policy is met.

**Policy 10.1.2: Urbanization.** Approval of proposed annexations of land by the City shall be based on findings with respect to the following: a) The annexation eliminates an existing "pocket" or "island" of unincorporated territory; or, b) The annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the City; c) The Police Department has commented upon the annexation; d) the land is located within the Tigard Area of Interest and is contiguous to the City boundary; e) The annexation can be accommodated by the services listed in 10.1.1(a).

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<sup>1</sup> Using formula for density calculation in Chapter 18.715 of the Development Code.

- a) The proposed annexation territory is part of an island of unincorporated territory. Therefore, the proposed annexation would help reduce an island of unincorporated territory.
- b) The proposed annexation will not create an irregular boundary that will make it difficult for the police to locate a parcel in an emergency situation. By reducing the island of unincorporated territory, the City's boundary will become more regular.
- c) The City of Tigard Police Department has commented and has no objections to the proposed annexation.
- d) The *UPAA (2006)* includes the proposed annexation territory within Tigard's Area of Interest. The proposed annexation territory is contiguous to the City on three sides, where it abuts Alpine View Subdivision to the west and south and Raven Ridge subdivision to the east.
- e) Lastly, as section 10.1.1.(a) demonstrated, the annexation can be accommodated by the following services: water, sewer, drainage; streets; police; and fire protection.

Items a through e have been met. Therefore, staff finds that the proposed annexation meets Policy 10.1.2.

**Policy 10.1.3: Urbanization.** Upon annexation of land into the City which carries a Washington County zoning designation, the City of Tigard shall assign the City of Tigard zoning district designation which most closely conforms to the county zoning designation.

Section 18.320.020.C of the Community Development Code provides specifics on this conversion. See Table 18.320.1.

**TABLE 320.1  
CONVERSION TABLE FOR COUNTY AND CITY PLAN AND ZONING DESIGNATIONS**

Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Plan Designation
R-5 Res. 5 units/acre	R-4.5 SFR 7,500 sq. ft.	Low density 1-5 units/acre
R-6 Res. 6 units/acre	R-7 SFR 5,000 sq. ft.	Med. density 6-12 units/acre
R-9 Res. 9 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-12 Res. 12 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-15 Res. 15 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
R-24 Res. 24 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
Office Commercial	C-P Commercial Professional	CP Commercial Professional
NC Neighborhood Commercial	CN Neighborhood Commercial	CN Neighborhood Commercial
CBD Commercial Business District	CBD Commercial Business District	CBD Commercial Business District
GC General Commercial	CG General Commercial	CG General Commercial
IND Industrial	I-L Light Industrial	Light Industrial

The subject property is zoned R-6 by Washington County. Table 320.1 summarizes the conversion of the County's plan and zoning designations. R-6 County zoning converts to the City's R-7 zoning. As this is a Zone Change Annexation (ZCA) application, upon approval and execution of the proposed annexation, the proposed territory will automatically convert to R-7 zoning. In addition, the City's Comprehensive Plan designation for medium-density residential will be applied to this area.

## **Chapter 18.320.020**

### **C. Assignment of comprehensive plan and zoning designations.**

The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

As the previous section demonstrated, the City of Tigard R-7 zoning district is the most similar to Washington County's R-6 zoning district. The subject property is currently R-6 and will automatically become R-7 upon annexation. This zone conversion will occur concurrently with the annexation process. There have been no requests for zoning other than R-7.

## **City of Tigard Community Development Code**

### **2. Chapter 18.390.060: Type IV Procedure**

Annexations are processed by means of a Type IV procedure, as governed by Chapter 18.390 of the Community Development Code (Title 18) using standards of approval contained in 18.390.020.B, which were addressed in the previous section. Chapter 18.390 requires City Council to hold a hearing on an annexation. It also requires the City to provide notice at least 10 days prior to the hearing by mail and to publish newspaper notice; the City mailed notice on September 17, 2007, and published public notice in *The Tigard Tualatin Sherwood Times* for two successive weeks (September 20, 2007 & September 27, 2007) prior to the October 9, 2007, public hearing.

Additionally, Chapter 18.390.060 sets forth five decision-making considerations for a Type IV decision:

#### **1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;**

The City's Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission to be in compliance with state planning goals. As reviewed above, the annexation proposal meets the existing Comprehensive Plan policies and therefore is in compliance with state planning goals.

#### **2. Any federal or state statutes or regulations found applicable;**

##### **ORS 222:**

State law (ORS 222.120(4)(b), ORS 222.125 and ORS 222.170(1)) allows for a city to annex contiguous territory when owners of land in the proposed annexation territory submit a petition to the legislative body of the city. ORS 222.120 requires the city to hold a public hearing before its legislative body (City Council) and provide public notice to be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

The sole owner of land within the proposed territory has signed a petition for annexation to the City. The proposed annexation territory is contiguous to the City's boundary on three sides.

The City published public notice in *The Tigard Tualatin Sherwood Times* for two successive weeks (September 20, 2007 & September 27, 2007) prior to the October 9, 2007, public hearing and posted the hearing notice at four public places on August 24, 2007: Tigard Library, Tigard City Hall, Tigard Permit Center, and in the vicinity of the proposed territory off SW Bull Mountain Road. Staff finds that the provisions of ORS 222 have been met.

### **3. Any applicable METRO regulations;**

Chapter 3.09 of the Metro Code (Local Government Boundary Changes) includes standards to be addressed in annexation decisions, in addition to local and state review standards. Note that this report is available 15 days before the hearing (September 24, 2007 for an October 9, 2007, hearing). Staff has determined that the applicable METRO regulations (Metro Code 3.09.040(b) &(d)) have been met based on the following findings:

#### **Metro 3.09.040 (b)**

**(b) Not later than 15 days prior to the date set for a change decision, the approving entity shall make available to the public a report that addresses the criteria in subsections (d) and (g) below, and that includes at a minimum the following:**

**(1) The extent to which urban services presently are available to serve the affected territory including any extra territorial extensions of service;**

As addressed previously in this report, urban services are available to the affected territory.

**(2) A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;**

As addressed previously in this report, the annexation proposal complies with all applicable provisions of urban service provider agreements, *UPAA (2006)*; and *TUSA (2006)*.

**(3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;**

As addressed previously in this report, the annexation proposal complies with all applicable policies of the City of Tigard Comprehensive Plan and urban service provider agreements (*UPAA (2006)* and *TUSA (2006)*). The proposed annexation territory is within the Urban Growth Boundary and subject to the Regional Framework Plan and Urban Growth Management Functional Plan provisions. There are no specific applicable standards or criteria for boundary changes in the Regional Framework Plan or the Urban Growth Management Functional Plan. However, the City's Comprehensive Plan and Development Code have been amended to comply with Metro functional plan requirements. By complying with the Development Code and Comprehensive Plan, the annexation is consistent with the Functional Plan and the Regional Framework Plan.

**(4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and**

The proposed territory will remain within Washington County but will be required to be withdrawn from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District and the Tigard Water District upon completion of the annexation.

**(5) The proposed effective date of the decision.**

The public hearing will take place October 9, 2007. If the Council adopts findings to approve ZCA2007-00003, the effective date of the annexation will be 30 days later on November 8, 2007.

#### **Metro Code 3.09.040 (d)**

**(d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:**

**1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;**

As addressed previously in this application, the proposed annexation complies with all applicable provisions of urban service provider agreements (*UPAA (2006)* and the *TUSA (2006)*). The proposed annexation is in the Area of Interest and Urban Service Area, which are subject to the *UPAA* and *TUSA*. The agreements state that the County and City will be supportive of annexations to the City. Therefore, the proposed annexation is consistent with these agreements.

**2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;**

The *UPAA (2006)* includes the proposed annexation territory. The City has followed all processing and notice requirements in the *UPAA*, providing Washington County with 45-day notice prior to the public hearing. The agreement states that "so that all properties within the Tigard Urban Service Area will be served by the City, the County and City will be supportive of annexations to the City." The annexation proposal is consistent with this agreement.

As previously stated in this report, this proposal meets all applicable City of Tigard Comprehensive Plan provisions. This criterion is satisfied.

**4. Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;**

This criterion was addressed under Metro Code 3.09.040(b). By complying with the City of Tigard Community Development Code and Comprehensive Plan, the annexation is consistent with the Functional Plan and the Regional Framework Plan.

**5. Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;**

The proposed annexation will not interfere with the provision of public facilities or services because it is consistent with the terms of the *TUSA (2006)*, which ensures the timely, orderly, and efficient extension of public facilities and urban services; it is contiguous to existing city limits and services; and lastly, urban services are available to the proposed annexation territory and have not been found to significantly reduce existing service levels.

**6. The territory lies within the Urban Growth Boundary; and**

The proposed territory is within Metro's Urban Growth Boundary.

**7. Consistency with other applicable criteria for the boundary change in question under state and local law.**

In previous sections, this report reviewed the proposal's consistency with other applicable criteria and found it to be consistent.

(Tigard CDC 18.390.060)

**4. Any applicable comprehensive plan policies; and**

As demonstrated in previous sections of this report, the proposed annexation is consistent with, and meets, all applicable comprehensive plan policies.

**5. Any applicable provisions of the City's implementing ordinances.**

There are no specific implementing ordinances that apply to this proposed annexation. The Development Code (Chapter 18 of the City Code) will apply to the proposed territory if or when it develops.

**SECTION VII. OTHER STAFF COMMENTS**

The City of Tigard Public Works Department reviewed the proposal and has no objections.

The City of Tigard Police Department has reviewed the proposal and has no objections.

The City of Tigard Engineering Department was provided the opportunity to comment on the annexation, but did not comment. However, the Department made comments during the pre-application and County review phases, indicating that the subject property was required to annex into the City to receive City services.

**SECTION VIII. AGENCY COMMENTS**

Tualatin Valley Fire and Rescue, which currently serves the proposed territory, has been given the opportunity to comment, but did not comment.

The Beaverton School District has reviewed the proposal and notes that the subject property is not within the Beaverton School District (BSD). BSD does not expect the annexation would impact its facilities and, therefore, has no objections.

**SECTION IX. PUBLIC COMMENTS**

The City mailed notice surrounding property owners within 500 feet and all interested parties on September 17, 2007. As of the date of this report, staff has not received any written comments.

  
PREPARED BY: Emily Eng  
Assistant Planner

9/24/2007

DATE

  
REVIEWED BY: Richard Bewersdorff  
Planning Manager

9/24/2007

DATE

Agenda Item #

Meeting Date

October 9, 2007

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

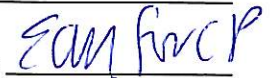
Issue/Agenda Title Jim Griffith Memorial Skate Park Update

Prepared By: Dennis Koellermeier

Dept Head Approval:



City Mgr Approval:



### ISSUE BEFORE THE COUNCIL

Staff will present a brief update on the skate park construction and grand opening ceremony.

### STAFF RECOMMENDATION

This is an informational item. No action is required.

### KEY FACTS AND INFORMATION SUMMARY

- Funded through contributions, a grant, and City funds, the Council awarded the contract to build the Jim Griffith Memorial Skate Park on May 22 of this year.
- Due to the contractor's efforts, the project is on schedule and is expected to be completed by mid-October.
- The park's grand opening ceremony is scheduled for Thursday, November 8, 2007 at 4:30 p.m. Highlights of the event will include:
  - A ribbon cutting.
  - Brief speeches by Mayor Dirksen, Skate Park Task Force Chairperson Rich Carlson, and Public Works Director Dennis Koellermeier.
  - Unveiling of the donor wall sign.
  - Professional skate boarders skating the park and demonstrating their skills.
  - Skate board key chains and decals for attendees.

### OTHER ALTERNATIVES CONSIDERED

Not applicable

### CITY COUNCIL GOALS

None

### ATTACHMENT LIST

None

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## FISCAL NOTES

The grand opening ceremony will cost the City under \$1,000, and there are sufficient funds in the skate park budget to cover the cost of the event.

The skate park project is funded through a combination of City funds, a state grant, and contributions. The cost to construct the skate park is \$367,900; the project is expected to be completed within budget.

Agenda Item #

Meeting Date

October 9, 2007

## COUNCIL AGENDA ITEM SUMMARY

City Of Tigard, Oregon

Issue/Agenda Title Presentation and Discussion by JOIN-An Organization Actively Involved in Finding Permanent Housing for Homeless Individuals and Families

Prepared By: Chief Bill Dickinson Dept Head Approval: lmd City Mgr Approval: Sam Rucy

### ISSUE BEFORE THE COUNCIL

Representatives of JOIN, an organization whose primary objective is to transition homeless individuals and families off the street and into permanent housing, will be making a presentation to Council on their existing program in the City of Portland and what program is being developed through the Housing and Supportive Services Network in conjunction with the Department of Housing Services here in Washington County.

### STAFF RECOMMENDATION

Receive presentation from JOIN and engage in discussion of what the goals are for a program developed in Washington County.

### KEY FACTS AND INFORMATION SUMMARY

JOIN envisions a community where homelessness is a short-term circumstance rather than a long-term or chronic condition. In service to this vision, JOIN utilizes a "Housing First" approach that rapidly re-houses 175 homeless households (families and individuals) in permanent housing annually. JOIN's effort is focused on people who are physically sleeping on the street or camping in their car regardless of age, gender, ethnicity, diagnosis or other challenge. In Portland, JOIN supports housing stabilization by providing critical supportive services to new tenants throughout the first 12 months after placement and anticipates to achieve 12 month retention rates of 80% or better.

Through the Washington County Housing and Supportive Services Network, efforts are now underway to have JOIN work with the Network membership in the effort to achieve the Washington County ten year plan of ending homelessness. Details of this effort will be presented to the City Council during the presentation. The Network has already been instrumental in streamlining the referral process for clients by providing a forum for 41 Washington County agencies and nonprofit organizations to share information, refer clients to each other, and collaborate on federal applications to bring resources to Washington County.

### OTHER ALTERNATIVES CONSIDERED

N/A.

### CITY COUNCIL GOALS

N/A

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**ATTACHMENT LIST**

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None.

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**FISCAL NOTES**

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N/A

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